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**A project submitted in partial fulfilment
of the requirements for the degree of**

Doctor of Professional Studies (Sustainable Development)

**National Centre for Work Based Learning Partnerships
Middlesex University**

**DEVELOPING THE ENVIRONMENT AGENCY'S
CAPACITY FOR POLICY ADVOCACY**

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ENVIRONMENT AGENCY

SEPTEMBER 2002

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CONTENTS

1 Executive Summary.....	5
2 Introduction.....	9
2.1 The aims of the project.....	9
2.2 Terms of Reference.....	10
2.3 Questions addressed by the project.....	11
2.4 Project boundaries.....	12
2.5 The demand for the project.....	13
2.6 Additional benefits of research.....	16
2.7 Securing the Project Co-ordination role.....	17
2.8 Structure of the project report.....	18
3 Organisational context and influence on the project.....	21
3.1 The purpose of the Environment Agency and the origins of the project.....	21
3.2 The need to build support beyond the Sustainable Development Unit.....	23
3.3 The need for Agency policy advocacy positions.....	24
3.4 The need to focus the project on influencing policy development at UK and EU level.....	25
3.5 The need to create a process to develop Agency policy advocacy positions...	26
3.6 The new Chairman and Chief Executive.....	28
4 Personal, societal and academic influences on the project.....	31
4.1 My background and personal ideological understanding of sustainable development.....	31
4.2 Policy advocacy: A means of conveying my understanding of sustainable development to the Environment Agency and progressing change.....	36
4.3 The pressure from society for Agency policy advocacy.....	39
4.4 External pressure against Agency policy advocacy.....	41
4.5 Literature review and academic influences on the project.....	42

5 Methodology.....	52
5.1 Description of research methodology to address aims (1) and (2).....	52
5.2 Justification of research methodology to address aims (1) and (2).....	55
5.3 Description of research methodology to address aim (3).....	58
5.4 Justification of research methodology to address aim (3).....	62
5.5 Issues arising from my positioning as a worker researcher.....	69
5.6 Confidentiality and wider ethical issues.....	70
5.7 Ensuring feasibility of research.....	72
 6 Project Activity.....	 76
6.1 Building a coalition for change.....	76
6.2 An early impact in favour of the principle of policy advocacy.....	78
6.3 The need to focus my efforts.....	79
6.4 Obtaining agreement for a focus on waste policy advocacy.....	80
6.5 Securing the agreement for a waste policy advocacy process.....	83
6.6 Immediate external impact of the Agency waste policy advocacy process....	84
6.7 Delivering an effective waste policy advocacy process.....	84
6.8 Developing the Agency's relationship with Cabinet Office PIU.....	88
6.9 Wider agenda setting on Agency policy advocacy.....	89
6.10 Measuring Agency policy advocacy effectiveness in comparative perspective.....	91
 7 Findings.....	 93
7.1 High level overview.....	93
7.2 Validity and reliability of results.....	96
 8 Assessment of Project Impact	 98
8.1 The challenge of assessing project impact.....	98
8.2 Impact on developing overall Agency policy advocacy effectiveness.....	99
8.3 Impact on developing Agency waste policy advocacy effectiveness.....	111
8.4 Impact on personal and professional development.....	121

9 Conclusions	124
9.1 Contributing to a process of change.....	124
9.2 An evaluation of Agency policy advocacy effectiveness.....	125
9.3 Recommendations for improvement.....	127

Bibliography.....	128
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Appendices – The products of the work project

Appendix A1: PESTEL Analysis on the Agency’s policy role.....	135
--	------------

Appendix A2: Process for developing the Agency’s policy position on waste	139
--	------------

Appendix A3: Questionnaire to review effectiveness of process to develop Agency policy positions.....	143
--	------------

Appendix A4: Terms of Reference for study evaluating Agency policy advocacy effectiveness.....	146
---	------------

Appendix A5: Stakeholders interviewed as part of study evaluating Agency policy advocacy effectiveness.....	147
--	------------

Appendix B1: The Environment Agency’s Contribution to EU and UK policy development in comparative perspective – An evaluation of effectiveness and options for improvement.....	151
--	------------

Appendix B2: Environment Agency Waste Policy Working Groups – Analysis of stakeholder policy recommendations.....	261
--	------------

Appendix B3: Developing overall Agency policy advocacy effectiveness – further evidence of project impact.....	383
---	------------

Appendix B4: Developing Agency waste policy advocacy effectiveness – further evidence of project impact.....	389
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1 Executive Summary

The overall rationale and aim of the project was to strengthen Environment Agency policy advocacy effectiveness. In addition to this overall aim, the project had two more specific aims:

- To identify key features to be included in any process for generating and embedding in the organisation broad policy advocacy positions relevant to UK and EU level policy development
- To provide an assessment of Environment Agency policy advocacy effectiveness – alongside English Nature in comparative perspective – and to thereby identify options to enhance the Agency's contribution to EU and UK public policy development

The project arose out of an increasing demand – from the Agency Sustainable Development Unit and from the new Agency Chairman – for the organisation to strengthen its influence over policy development, particularly in context of its statutory duty to contribute to sustainable development.

It should be emphasised that, at the start of the project, there were many Agency staff across the management hierarchy who strongly believed that the Agency should not develop policy positions on 'big picture' sustainable development issues. Building support beyond the Sustainable Development Unit was essential to progressing the project, and joint sponsorship of the work by the Sustainable Development and Parliamentary and Government Relations Units was therefore obtained at the earliest stage.

Key reasons for focusing on influencing policy at UK and EU level included the fact that the Agency had already established itself as an influential player at the local and regional level, that UK / EU policy development remains key to influencing environmental strategy, and that the Agency is the competent authority for implementation of some 50 EU environment directives.

It was decided very early on in the project that there was a fundamental need for the Agency to generate broad policy advocacy positions on the key external policy areas that affect or will affect the organisation's capacity to deliver its desired environmental

outcomes, as expressed in the *Environmental Vision: The Environment Agency's Contribution to Sustainable Development*.

My understanding of sustainable development is that it is an *inherently political process* of societal change and learning, requiring far reaching technological, institutional, economic, social and cultural change. Put bluntly, with sustainable development both a personal passion and the Agency's primary legal duty, I developed my proposal for a "policy advocacy project" as a constructive means of addressing my three main frustrations with Agency sustainable development practice:

1. My frustration that, despite a wealth of Agency expertise and experience on environmental policy, the organisation largely confined itself to implementing policy rather than also challenging and influencing that policy
2. I wanted an Agency that would engage with the more strategic, political policy debates as a champion for the environment and sustainable development, in addition to carrying out its statutory operational duties and giving technical policy advice
3. My perception that the Agency has been excessively focused on regulation, despite the increasing evidence that more mixed policy packages are now needed to progress sustainable development

The comparative assessment of Environment Agency policy advocacy effectiveness was based on 85 interviews – with key representatives from Government / Politics, Business and NGOs, and within English Nature and the Agency (full list given at Appendix A5). Within the Agency, this included staff at Area, Regional, and Head Office level. Comparison with English Nature was on the basis that both organisations share NDPB status, broad UK policy context, and key environmental interests and, moreover, both organisations' policy advice is based on substantial policy expertise, experience of policy implementation, and a strong commitment to sound science.

The first meeting of the policy advocacy design group brainstormed key policy issues and, using a multi-criteria analysis approach, identified three policy priorities. Key factors in deciding to focus the action research on waste included the Chairman's priorities and interest from the Chief Executive in context of the Government publishing its annual Sustainable Development report.

The waste policy activity was valuable both from a waste viewpoint and also in terms of helping wider agenda setting and consideration of effective policy influencing processes. In terms of overall project impact, I am highly satisfied with the progress I have made. Over the two years of my project there has been substantial organisational change – change which I have contributed to, and which has further developed and to a substantial extent mainstreamed the Agency's policy advocacy role.

In particular, the project played a key role in building initial support for the Agency's policy advocacy role, agreeing policy priorities, and in shaping the style and purpose of the policy advocacy plans and policy advocacy position statements (for example, stressing the value of offering policy solutions). Nevertheless, a wide range of challenges has also had to be faced in advancing the work, with concerns needing to be delicately addressed so that they would not hinder progress.

The comparative stakeholder assessment of English Nature – Agency policy advocacy effectiveness concluded that:

- On agriculture policy advocacy, English Nature is seen as much more effective than the Agency. On waste policy, the Agency is reasonable and English Nature weak. Both organisations are reasonable on overall environment / sustainable development policy advocacy
- Both the Agency and English Nature are stronger on UK issues than on EU issues, but the Agency is seen as particularly weak at EU level
- The Agency is very strong on technical and operational policy but particularly weak on strategic issues. English Nature is equally effective on both technical and strategic issues, and is much more 'present' in strategic policy communities
- The Agency is seen as stronger on water management than on industrial regulation
- The Agency is reasonable at the different stages of the policy cycle, except for the agenda setting solutions stage, where it is particularly weak. English Nature is reasonably effective across the whole policy cycle

However, this overall stakeholder perception analysis has to be seen alongside the key findings from the action research. Above all else, it needs to be recognised that the Agency has shifted from a position of mainstream opposition to policy advocacy in October 2000 to one now of general support, and has significantly developed its capacity for policy advocacy.

Adoption of a clear process for settling fundamental disagreements over internal policy for advocacy was suggested but, to date, the idea has not been taken forward. Overall though, the project has proposed a wide range of recommendations for improving Agency policy advocacy effectiveness – not least the creation of *corporate* policy priorities, *corporate* policy advocacy position statements and *corporate* advocacy plans – that have been very much taken forward and, to a substantial extent, mainstreamed across the organisation.

In terms of further enhancing Agency policy advocacy effectiveness, stakeholders interviewed in the comparative assessment of English Nature – Agency policy advocacy effectiveness identified that:

- The Agency is over-investing in regional influencing and under-investing in influencing EU issues
- The Agency has insufficient economics and social science expertise to support its policy advocacy
- Opinion is divided on whether Agency culture is supportive of policy advocacy
- More emphasis could be placed on developing robust policy analysis. This could help further embed in the Agency the difference between policy advocacy and general corporate communications
- Developing an Agency policy advocacy culture could be helped by raising the internal profile of the overall corporate position statements and underlining their status, and by committing to regular evaluation of the organisation's policy advocacy effectiveness. Such evaluation could usefully combine regular self assessment of the achievement of policy objectives with periodic stakeholder reputation analysis

All of the above bullet points have been highlighted in the executive summary of the comparative assessment of English Nature – Agency policy advocacy effectiveness (given at Appendix B1). Moreover, this comparative assessment has been highlighted at a major policy advocacy workshop with the Chief Executive and key players from across the Agency, held on 12 September 2002.

2 Introduction

*“How can the Agency get more bangs for its buck when influencing Government?
That’s what this project is really about”¹*

2.1 The aims of the project

The overall rationale and aim of the project has been:

1. To strengthen Environment Agency policy advocacy effectiveness

In addition to this overall aim, the project had two more specific aims:

2. To identify key features to be included in any process for generating and embedding in the organisation broad policy advocacy positions relevant to UK and EU level policy development
3. To provide an assessment of Environment Agency policy advocacy effectiveness – alongside English Nature in comparative perspective – and to thereby identify options to enhance the Agency’s contribution to EU and UK public policy development

Clearly, the terms ‘policy development’, ‘advocacy’, and ‘policy advocacy positions’ require definition:

- ‘Policy development’ is taken to refer to the full range of policy, including education and advisory schemes, tradable permits, taxes, grants (spending), as well as traditional command and control regulations
- ‘Advocacy’ in the context of this project refers to the provision of advice, arguing in favour of a particular policy idea or approach
- ‘Policy advocacy positions’ identify, for Agency staff and appropriate external stakeholders:

¹ Initial discussion between Philip Douglas (Policy Development Officer, Environment Agency), Chris Newton (Head of Sustainable Development, Environment Agency), Richard Streeter (Head of Parliamentary & Government Relations, Environment Agency), and Jeremy Richardson (Professor of Comparative Government, Nuffield College, Oxford University), 24 October 2000

- where existing Government policies are a barrier to the Agency achieving the environmental outcomes set out in the organisation's Vision
- where new Government policies would assist the Agency in achieving the environmental outcomes set out in the organisation's Vision
- links to Agency expertise, current and future on the ground experience, and expectations on the Agency

2.2 Terms of Reference

The terms of reference fall into two parts. The first component is action research based and focuses on aims (1) and (2):

- To build support for strengthening Agency policy advocacy effectiveness in general and, through specific case study work on waste policy, to develop and test a process for generating and embedding broad policy advocacy positions

The second component focuses on aim (3) and follows a survey approach.

Terms of reference are as follows:

To produce a report outlining options to enhance the Environment Agency's contribution to policy development – based on an assessment of English Nature and the Environment Agency's strengths, weaknesses, opportunities, and threats in terms of influencing public policy, as perceived by the organisations themselves and the following sectors:

- Environment NGOs
- Politics / Government
- Business

The report will:

- Briefly outline the rationale for the study and the political context to the development of the Agency and English Nature to date
- Consider policy advocacy effectiveness:

- on overall environment / sustainable development policy
 - on agriculture and waste policy
 - at EU and UK level
 - on strategic and technical issues
 - in terms of the different stages of the policy cycle (problem identification, agenda setting solutions, refining details, and policy implementation)
- Consider the extent to which the organisations' style of stakeholder engagement, diversity of expertise, and organisational culture is supportive of their contribution to policy
 - Identify specific examples of policy developments where the Agency or English Nature have been particularly influential, and the principles underlying the effectiveness of the approach taken

2.3 Questions addressed by the project

Addressing aims (1) and (3) included giving consideration to the following questions:

On the current position and historical context:

- What are the strengths and weaknesses of Agency policy advocacy? What is it that gives Agency policy advocacy weight?
- Why is policy advocacy a new idea to the Agency?

On the future:

- What are the external opportunities for and threats to Agency engagement in policy advocacy?
- How could the Agency be a more effective policy influencer, in terms of style of stakeholder engagement, diversity of expertise, and organisational culture?

On areas of agreement and disagreement:

- Where do stakeholders most agree on Agency policy advocacy strengths and weaknesses? Where do they most disagree?
- Which parts of the organisation are most supportive of Agency engagement in policy advocacy, and which parts are less supportive?

On developing a culture of change:

- Where has it been possible to build support for Agency policy advocacy, and where has it been more difficult to have impact?
- In terms of Agency engagement with policy advocacy, what caused people to change their perspective? Equally, why do some people remain nervous and resistant to the idea of Agency policy advocacy?

Addressing aim (2) included giving consideration to the following questions:

On defining 'Agency policy advocacy positions':

- To what problem are 'policy advocacy positions' a solution? How does the development of 'positions' help the Agency improve its policy advocacy effectiveness?
- What should a policy advocacy position look like?
- For a given policy area, how would an Agency policy advocacy position differ from that of another organisation?

On determining a 'good' process for developing policy advocacy positions:

- What are the costs and benefits of engaging stakeholders in developing Agency policy advocacy positions?
- What additional benefits can arise from a policy advocacy positions development process?
- What are the risks associated with developing policy advocacy positions?
- How should the Agency measure the success of processes to develop its policy advocacy positions?

2.4 Project boundaries

In terms of project boundaries, three points deserve to be highlighted:

- The project developed and tested a process for generating and embedding broad policy advocacy positions, using waste as the example policy area. Whilst the project advised on the overall approach to developing Agency policy positions, it was not responsible for producing every Agency policy position

- The project focus was on policy advocacy, and in particular influencing UK Government and EU policy development. Other aspects of Agency influencing / communications – for example public relations in relation to Agency operations, Agency educational activity for schools, and business focussed influencing campaigns (such as the waste minimisation campaigns²) were not the focus of the project.³
- The project advised on options to strengthen overall Agency policy advocacy effectiveness, both during the course of the project and through the final project report. Wherever possible, action was taken to implement options / test options in practice. However, the project was not responsible for implementing every single improvement in policy advocacy effectiveness, and in many areas (for example, in relation to the science / policy interface or on the Agency's statutory sustainable development guidance⁴), the project could only offer policy advice

2.5 The demand for the project

The project arose out of an increasing demand – from the Agency Sustainable Development Unit and from the new Agency Chairman – for the organisation to strengthen its influence over policy development, particularly in context of its statutory duty to contribute to sustainable development⁵. When the project began in October 2000, the following drivers were key:

- In order to maximise delivery against the environmental outcomes in the organisation's new Vision⁶ the Board, under the new Chairman Sir John Harman, had set the key objective of influencing UK and EU policy development⁷

² The Agency's Environmental Protection National Service leads the Agency's work on waste minimisation

³ However, it is recognised that Agency policy advice / advocacy to Government is informed by the organisation's operational experience. This would, for example, include Agency waste minimisation operational experience.

⁴ The Heads of Science and Policy (and Heads of R&D and Sustainable Development) lead the work on improving Agency effectiveness at the science /policy interface. The Director of Finance and Head of Sustainable Development are responsible for leading the policy advice to Government on the Agency's statutory sustainable development guidance.

⁵ Section 4 guidance to the Environment Act (1995).

⁶ An Environmental Vision – *The Environment Agency's Contribution to Sustainable Development*. Environment Agency, 11 January 2001

⁷ Highlighted by the Head of Parliamentary and Government Relations at a workshop of the Policy Advocacy R&D project, 26 January 2001

- Responses to the Agency's consultation on its Environmental Vision indicated broad stakeholder support for strengthening the Agency's policy advice role, subject to the Agency having some "locus" in the policy area concerned (e.g. relevance of policy area to Agency expertise or to on the ground experience)

At its most fundamental, the demand for the policy advocacy project arose out of the new Agency commitment to delivering environmental outcomes as expressed in the Vision – which clearly requires going beyond delivery of regulatory compliance. However, it should be emphasised that, as at October 2000, demand for policy advocacy internally largely came from the new Chairman and the Sustainable Development Unit. The development of the project proposal (from October 2000 to January 2001) thus played a key role in strengthening demand for the project and for Agency engagement in policy advocacy. Key examples of such 'stimulated demand' include:

- On 22 November 2000, the Agency's Environmental Strategy Directorate was refocusing around six cross cutting issues (waste, climate change, energy, greening business, agriculture, urban regeneration), with policy advocacy being a capacity highlighted as being common to all.⁸
- On 21 January 2001, the Agency's new Chief Executive had made clear that: "We ought to develop policy positions which can be endorsed by the Directors' Group and the Board, so that the Agency is able to advocate with confidence. Some of these need to be published as Agency Position Statements which will form a common set of policy statements in the public domain"⁹.

⁸ John Murlis and ESD HoFs, 22 November 2000

⁹ Barbara Young, 21 January 2001. Feedback to Policy Advocacy Project.

Key external developments that underlined the case for the project included:

- On 11 January 2001, the UK Environment Minister stressed: "One partnership which I particularly value is your policy advice to Government"¹⁰
- On 21 March 2001, the Environment, Transport and the Regional Affairs Select Committee repeated its previous criticisms of the Agency, this time commenting that: "the Environment Agency is still failing to take a convincing and persuasive approach to influencing environmental strategy"¹¹

In aiming to strengthen Agency policy advocacy effectiveness through action research whilst also identifying wider options to improve performance, the project was thus positioned to meet a significant demand.

More specifically, there was a particular demand from within the Sustainable Development Unit for the project to create policy advocacy position statements, in order to:

- Assist Agency staff when preparing consultation responses, speeches, and responses to Government publications¹², particularly in moving beyond a problem description approach, to combine problem description with suggestion of specific policy options / solutions¹³
- Promote more joined up policy advice¹⁴

¹⁰ Michael Meacher, 11 January 2001. Launch of the Environment Agency's "An Environmental Vision"

¹¹ ETRA Committee Inquiry into Sustainable Waste Management. 21 March 2001. The ETRA Committee had previously criticised the Agency for "failing to be a champion for the environment and sustainable development" in its Sixth Report – An Inquiry into the Environment Agency, 20 May 2000

¹² For example, email from Chief Executive to Head of Sustainable Development, asking for a response to the Government's failing waste Quality of Life indicator, 22 January 2001. Had a waste policy position statement existed, this could have been used as a source document for corporately agreed policy recommendations to Government

¹³ For example, Agency staff have suggested that the State of the Environment reporting (e.g. State of the Environment 2000) is strong on problem description but weak in terms of proposing policy options / solutions. For example, see email sent 7 February 2001

¹⁴ For example, despite having a section on reducing waste with detailed specifics (e.g. in relation to environmental reporting), the Agency's response to the draft DTI Sustainable Development strategy does not mention thinking on landfill tax reform & WRAP promoted by the Agency in response to the Govt's Draft Waste Strategy. Equally, the Agency's calls to HMT for an environmental strategy to underlie the process for consideration of new taxes also fails to get a mention in the Agency's response to the DTI strategy. From email sent 7 February 2001

In addition, there was a specific demand for the Agency to develop an Agency policy advocacy position on waste¹⁵. The direct benefits to the Agency of the project can therefore be summarised as follows:

- Engagement of the Agency in policy advocacy on some key policy areas relating to waste
- Development and trial of a process for generating policy advocacy positions, through the waste focussed action research
- Identification of Agency policy advocacy strengths and weaknesses, and options to improve performance, through the stakeholder survey
- Exploration of the boundaries of the Agency's relationship with UK government in relation to policy development

2.6 Additional benefits of research

The research offers the possibility of enhanced Agency policy advocacy, and thereby also:

- a more evidence based approach to policy development (given that Agency decision making is informed by sound science)
- a more inclusive approach to policy development (the Agency, given its involvement on the ground at the interface of diverse policy implementation agendas, is well placed to contribute to 'joining up' UK and EU policy)
- a more vision based approach to policy development (the Agency's Vision can be used to keep long term challenges in mind and thereby identify current decisions needed [e.g. on R&D] that might otherwise be missed)

Such benefits could be of considerable value to enhancing UK effectiveness in environment related policy development. This was the conclusion reached by a study investigating the UK's effectiveness at the EU level conducted by consultants for the National Rivers Authority (one of the Agency's predecessor bodies).¹⁶ The consultants concluded, in light of interviews with a wide range of stakeholders:

¹⁵ For example, see footnote 13

¹⁶ Bruce Naughton Wade NRA study – Options for EC involvement. UK Interviews Summary, page 7

1. The Department of the Environment fails to consult fully the range of different UK interests involved, and to build consensus on positions to be taken to EC negotiations
2. The Department of the Environment does not draw enough on UK technical expertise

Whilst the study was conducted in 1992 and focussed on water related policy issues, it may still have some relevance. Environment Agency policy advocacy could thus potentially enhance UK policy development in three areas:

- *mainstreaming of environmental protection* across diverse policy areas
- helping integrate social and environmental policy (e.g. on flood protection)
- helping integrate economic and environmental policy (e.g. on resource productivity)

2.7 Securing the Project Co-ordination role

My achievement in securing the responsibility of co-ordinating the project was based on a combination of my experience and position in the organisation, the limited Agency resources available to address policy advocacy, and the formation of an early partnership between the Sustainable Development and Parliamentary and Government Relations Units.

My experience with Forum for the Future¹⁷ combined with being located in the Agency Sustainable Development Unit within the Environmental Strategy Directorate meant that I was well positioned to consider the organisation's engagement in strategic cross cutting policy issues¹⁸. Moreover, through previous work on climate change and other strategic public policy issues, I had established a track record with the Agency's new Chairman¹⁹. Equally though, my securing of the project co-ordination role was also

¹⁷ As part of the Forum for the Future programme in sustainable development, I was seconded as a policy researcher to the following organisations: Population Concern, Bath & North East Somerset Council, The House of Lords (Baroness Hilton of Eggardon), J Sainsburys (Environmental Management Unit), HM Customs and Excise, and The Express

¹⁸ Under the section (4) guidance of the 1995 Environment Protection Act, the Agency has a duty to deliver its functional responsibilities *so as to contribute to sustainable development*. This requires effective integration of cross cutting policy issues (e.g. climate change), and the Sustainable Development Unit has responsibility for overall co-ordination of this work.

¹⁹ From 1 October 1999 to 30 September 2000, I was the focal point for climate change policy issues in the Environment Agency. Sir John Harman, the Agency's new Chairman, described my response to the Government's draft climate change programme as "exemplary" (30 May 2000). In addition, I produced other strategic public policy material which was positively received by the Chairman, for example the

based on the limited resources available within the Agency to address the emerging priority of “policy advocacy on strategic issues”. Arguably, this situation arose because the Agency was not established in 1996 to prioritise sustainable development or strategic cross cutting policy issues²⁰. The context into which the project fits is explored further in Chapter 3.

Whilst the project has been funded out of the Environment Agency Sustainable Development R&D budget, securing the project co-ordination role also required obtaining the agreement of the Parliamentary and Government Relations Unit, located with the Agency Corporate Affairs Directorate. A meeting in September 2000 was therefore held, at which it was agreed that the Sustainable Development and Parliamentary and Government Relations Units would jointly sponsor the project²¹. On reflection, this cross-Directorate support proved critical to enabling my effective co-ordination of the project and ensuring the work had real organisational impact. Without such support, it seems likely that other similar projects would have developed, potentially leading to confusion and reduced organisational impact. The issue of project impact is explored further in Chapter 7.

Finally, my personal interest in the research was an important factor in securing and effectively maintaining the project co-ordination role. My personal interests in the research are considered further in Chapter 3.

2.8 Structure of the project report

Chapter 1 provides an executive summary. This chapter introduces the project, setting out the aims and terms of reference, and addressing key issues such as project boundaries and the benefits of the work. Chapter 3 outlines the organisational context and influence on the project. Similarly, chapter 4 addresses the different personal, societal, and academic influences on the work. Chapter 5 describes and justifies – through critical evaluation – the methodological approach. Importantly, it also identifies how confidentiality and wider ethical issues have been addressed. Chapter 6 is an

Agency’s response (March 2000) to Sustainability in the UK (Liberal Democrat Consultation Paper No.48)

²⁰ Importantly, the Environment Protection Act 1995 establishing the Environment Agency did not give the organisation a statutory policy advice role

²¹ 1 September 2000. Meeting between Philip Douglas (Policy Development Officer, SD Unit), Chris Newton (Head of SD Unit), and Richard Streeter (Head of Parliamentary & Government Relations)

analysis of project activity, including reflection on what helped and hindered the activity. Chapter 7 outlines the key project findings, with discussion and interpretation, and also includes a reflection on the validity and reliability of the results. Chapter 8 is a critical analysis of project impact – impact on Agency policy advocacy generally, impact on Agency waste policy advocacy and practice, impact on the UK sustainable waste management policy community, and impact on my personal and professional development. Chapter 9 highlights the key project conclusions and recommendations, addressing the aims and terms of reference set out in Chapter 2. Some of the main products of the project are as follows (those without asterisks are included in the appendices):

In terms of Agency waste policy advocacy:

- the waste policy position statement and 10 Point Plan presented by the Agency Chairman and Chief Executive to Secretary of State Margaret Beckett MP at the DEFRA Waste Summit (November 2001)
- Commentary in ENDS magazine on the Agency's policy positioning in context of the DEFRA Waste Summit (November 2001)
- "Waste policy at the crossroads" speech, delivered by Agency Chairman to stakeholder forum including key representatives from Government, Business, and NGOs (December 2001)
- Analysis of stakeholder waste policy recommendations report, identifying key areas of stakeholder agreement and disagreement (December 2001)
- Analysis of stakeholder feedback report, evaluating the effectiveness of the June – December 2001 waste policy development process (January 2002)
- Paper to Directors Policy Steering Group on lessons learned from the June – December 2001 waste policy advocacy process (June 2002)*

In terms of overall Agency policy advocacy:

- Executive summary of the first Policy Advocacy Project R&D design group meeting (January 2001)
- Paper for Chairman on potential high profile campaigns – consolidated the Chairman's support for policy advocacy (January 2001)*
- Paper for Directors on the development of Agency policy for external advocacy on cross-cutting issues – helped consolidate Policy Directors' interest in policy advocacy (February 2001)*

- Paper for Directors on policy priorities – established priority issues for Agency policy advocacy, and consolidated mainstreaming of policy advocacy role (June 2001)*
- Paper outlining potential structure and overall approach to developing policy position statements – adopted by Directors Policy Steering Group as Terms of Reference for policy positions (July 2001)
- Report providing an assessment of Agency policy advocacy effectiveness alongside English Nature and identifying options to enhance the Agency's contribution to EU and UK public policy development – scheduled for discussion at September 2002 cross-Directorate workshop with the Chief Executive and Director of Corporate Affairs (July 2002)

* Indicates a more confidential document, which may be released by the Agency on request

3 Organisational context and influence on the project

3.1 The purpose of the Environment Agency and the origins of the project

To understand the origins of my project it is necessary to appreciate the organisational context in which I developed the work, including Government's attitude to the organisation developing a policy advocacy role, and to briefly consider the political context to the development of the Agency.

The Environment Agency is the principal environmental regulator for England and Wales, and is responsible for regulating pollution releases to land, air and water and for managing key aspects of the water environment. The Environment Agency took up its statutory duties at vesting on 1 April 1996, through the merger of Her Majesty's Inspectorate of Pollution (HMIP), the National Rivers Authority (NRA), the waste regulation functions of 83 local authorities (including the London Waste Regulatory Authority) and a small number of units from the Department of the Environment, Transport and the Regions (DETR) dealing with aspects of waste regulation and contaminated land.²²

Section (4) of the 1995 Environment Act gave the Agency a statutory duty to contribute to sustainable development through integrated delivery of its functions. However, it is equally notable that it did not feature a statutory policy advice role for the Agency. In this context Carter et al (1996) argue:

*"The creation of the Environment Agency owed little in its origins or ultimate design to the idea of sustainability... [with] the government persuaded to consolidate the regulatory functions of pollution control within one agency on the grounds of administrative efficiency and political opportunism, not sustainability"*²³

Moreover, as one Agency representative argued, Government nervousness over Agency engagement in policy advocacy may be linked to the legacy of the National Rivers Authority (NRA):

²² The Environment Agency of England and Wales was formally created on 8 August 1995 by the 1995 Environment Act

²³ Page 19, Carter, N. and Lowe, P. (1995). 'Environmental Policy in Britain' in T. Gray (Ed) "UK Environment Policy in the 1990s", London: Macmillan

"The National Rivers Authority (NRA) was a lot more independent than the Agency. It didn't have a 'Memorandum of Understanding' (MOU) with the Department on EU and international activities. But it was the exuberance of the NRA – the NRA feeling that it could speak to anybody – that precipitated the current Agency MOU on EU and international relations, which is very restrictive" Agency

In addition, the size of the organisation may have an important bearing on Government's attitude to its engagement in policy advocacy. As one Government / Political interviewee suggested:

"English Nature is fairly focussed. Government finds it more difficult to give a policy advice role to an organisation as large and potentially powerful as the Environment Agency" Government / Political

However, whilst the Agency was not established to engage in policy advocacy, I nevertheless developed my project out of a growing feeling that the Agency needed to strengthen its contribution to policy development, and in particular its influence over strategic policy issues, in order to make a more effective contribution to sustainable development. This feeling existed both within the Sustainable Development Unit and externally.

Internally, the Agency was considering its wider role in terms of contributing to sustainable development. As part of this process, the Agency produced its *Environmental Vision*, which outlines aspirational environmental outcomes for the future and the new ways of working that the Agency should adopt in order to contribute to the delivery of these outcomes²⁴. A key feature of the Vision was that it committed the Agency to measuring success in terms of *environmental outcomes* rather than simply regulatory compliance, implying a significant policy-influencing role for the organisation to complement delivery of its regulatory functions.

²⁴ An Environmental Vision – *The Environment Agency's Contribution to Sustainable Development*. Environment Agency, 11 January 2001

Externally, several key stakeholders were also calling on the Agency to develop more of a voice on relevant areas of environmental policy²⁵. However, the picture was far from clear and the larger macro context of ongoing power struggles with central Government remained important throughout the work. This issue is considered further in the Chapter 4 section on external, societal influences.

3.2 The need to build support beyond the Sustainable Development Unit

Building support beyond the Sustainable Development Unit was essential to progressing the project, and joint sponsorship of the work by the Sustainable Development and Parliamentary and Government Relations Units was therefore obtained at the earliest stage²⁶. There have been several changes with respect to the positioning of the Sustainable Development Unit over the course of my project – changes that I have contributed to, and that have further facilitated my work.

At the start of my project, the Sustainable Development Unit was a small policy unit located within the Agency Environmental Strategy Directorate. In leading the Agency's contribution to sustainable development, the unit was responsible for a range of issues which cut across Agency regulatory functions – for example, economic instruments, social policy, climate change, and energy. The Environmental Strategy Directorate was a small Head Office Directorate that had responsibility for providing advice on the long-term strategic direction of the Agency.

A significant early shift was the '*refocussing*' of the *Environmental Strategy Directorate* around six key cross-cutting policy issues (agriculture, climate change, energy, greening business, waste, and urban regeneration) and several capacities, including policy / political influencing²⁷. This was driven both bottom up by the Sustainable Development Unit (itself driven partly by requests for policy positions from practitioners on the ground in areas and regions), and also top down by Sir John

²⁵ For example, the UK Parliament Environment, Transport, and Regional Affairs Select Committee 1999-2000 Inquiry into the Environment Agency made a critical assessment of the Agency's policy influence on strategic issues, commenting that: "There has been a failure of leadership in the Agency". The UK Environment Minister, on launching an Environmental Vision, also commented: "One partnership I particularly value is your policy advice to Government", 11 January 2001

²⁶ Meeting between Chris Newton (Head of Sustainable Development), Richard Streeter (Head of Parliamentary & Government Relations) and Philip Douglas (Policy Officer, Sustainable Development Unit). 1 September 2000

²⁷ Refocusing the Environmental Strategy Directorate workshop. 22 November 2000

Harman, the new Agency Chairman. Whilst the Director of Environmental Strategy was already committed to chairing the steering group of my project, the 'refocussing' workshop essentially gave my work *Directorate wide* support. Subsequent to the workshop, my project constituted the main mechanism by which the Directorate progressed policy advocacy in general and waste policy advocacy in particular.

However, the small size of both the Sustainable Development Unit and the Environmental Strategy Directorate relative to other Units and Directorates made influencing the organisation as a whole highly challenging and often difficult. For this reason, the early alliance with the Parliamentary & Government Relations Unit and its Corporate Affairs Directorate was key to establishing my Policy Advocacy project. Nevertheless, Corporate Affairs is also only a small Head Office Directorate and there remained a need to mainstream policy advocacy into the much bigger and more powerful Directorates, particularly Environmental Protection.

It should be emphasised that, at the start of the project, there were many Agency staff across the management hierarchy who strongly believed that the Agency should not develop policy positions on 'big picture' sustainable development issues²⁸. They argued that the Agency should stick to its statutory regulatory implementation duties and operations, focusing on delivering these responsibilities in the most efficient and effective way possible. Proponents of such a view regard Agency engagement in policy advocacy as a distraction from the 'real work' of implementation. A key aspect of my project has therefore been to consistently challenge this view and to mainstream policy advocacy within the organisation as a whole, underlining the value of UK and EU policy development being based on evidence and the experience of implementation on the ground. Thus, in my view, the Agency's historical focus on implementation was not so much in opposition to the idea of policy advocacy, but rather constituted an excellent basis for it.

3.3 The need for Agency policy advocacy positions

It was decided very early on in the project that there was a fundamental need for the Agency to generate broad policy advocacy positions – i.e. to "take a corporate view" –

²⁸ Noted, for example, in "Developing a Sustainable Energy Vision for the Environment Agency". DProf report, Daniel Archard, 22 August 2001

on the key external policy areas that affect or will affect the organisation's capacity to deliver its desired environmental outcomes, as expressed in the Environmental Vision²⁹. Without clear policy advocacy positions – or “corporate views on external policy” – Agency advice on such matters will continue to be unpredictable and ad-hoc, with stakeholders left guessing as to exactly where the Agency stands. Clearly, for the Agency to be a truly effective policy advocate, staff across the organisation would need to have ownership of the ‘line to take’, so that the Agency could speak with ‘one voice’ and so that on the ground experience would feed into the development of the positions. As the Agency's Director of Environmental Strategy highlighted:

*“The development of policy on many of the broad strategic issues has been shared between different directorates and regions and areas have also played a significant role. This has made it difficult for the Agency to have a single voice on these matters. It has also given the area an ad hoc feel, with Agency positions having to be reinvented for each instance.”*³⁰

Thus there was recognition of the fundamental need for the Agency to embed policy positions in the organisation. Moreover, as the Agency becomes more strategic in its work, expectations on it to have a view on the big environmental issues of the day – or the environmental aspects of the big issues – will continue to increase.

3.4 The need to focus the project on influencing policy development at UK and EU level

Key reasons for focusing on UK Government and the EU level were as follows:

- Agency influencing capabilities at local and regional level, and in relation to devolved bodies (Welsh Assembly, Greater London Authority), were already well developed.³¹ Through the involvement of Agency staff in various partnerships and

²⁹ CEO Barbara Young, 21 January 2001. Feedback to Policy Advocacy Project

³⁰ Note by John Murlis, Chief Scientist, in draft paper for Directors, 12 February 2001

³¹ Discussion with LRR team, 15 February 2001. “Waste Policy Support Unit is a unique hybrid - financed by the Assembly, based within Environment Agency Wales, and staffed by ex-Agency employees – a policy advocacy lesson in itself” Sian Phipps, 23 March 2001

activities, the Agency had already established itself as an influential player at the local and regional level³²

- Agency influencing of policy development at the national level had mostly taken the form of focussed technical contributions, with The Environment, Transport and the Regional Affairs Select Committee arguing that “the Environment Agency is still failing to take a convincing and persuasive approach to influencing environmental strategy.”³³ The Board had set the objective of the Agency influencing political developments at UK and EU level to help achieve the Environmental Vision outcomes, with the following supporting objectives placing firm emphasis on influencing environmental strategy:
 - To shape and prioritise the environmental policy agenda
 - To position the Agency as a key advisor on the environment
 - To mainstream the environment throughout Government
- Agency capacity for influencing policy development at the EU level was limited, despite the Agency being the competent authority of some 50 EU environment directives, and currently implementing around 8 new EU initiatives a year³⁴
- Resources available to the policy advocacy project were limited and, despite devolution, policy development at UK and EU level remains key to influencing environmental strategy. Central government action is still required for new environmental taxes, for example, and the EU drives more than 70% of UK environmental legislation³⁵

3.5 The need to create a process to develop Agency policy advocacy positions

In seeking to engage the Agency in policy advocacy, it was identified that a key challenge that the project would have to address early on was that of *creating a policy*

³² For example, the Agency played a leading role in organising the East of England “from waste to wealth” conference. This helped consolidate the Agency’s position as an influential player in the region.

³³ ETRA Committee Inquiry into Sustainable Waste Management: 21 March 2001

³⁴ Update on Forthcoming EU Environment legislation: Implications for the Agency. Paper by the Director of Corporate Affairs, 13 March 2001

³⁵ Note that 12 of the Agency’s own 21 key targets are driven from Europe. *An Environmental Vision*, p. 26.

*development process*³⁶. As was highlighted at the first meeting of the Policy Advocacy Project Steering Group: "We need policy to advocate in the first place. If you don't have a policy in the first place, the rest of policy advocacy is rather academic. We have a lot of data and information that's not particularly useful. We have very little policy relevant analysis"³⁷. However, this point requires some clarification. On issues of operational and regulatory implementation (for example implementation of the IPPC Directive), the Agency does have both clearly defined policies and a corporately agreed policy development procedure. However, on strategic cross cutting policy issues, the Agency has lacked both policy positions and an agreed corporate process for developing such policy.

Prior to my project, the only process by which the Agency (through the work of the Sustainable Development Unit) was able to develop policy on non-regulatory cross cutting policy was through official Agency responses to consultations from Government and other key stakeholders. The Sustainable Development Unit had taken this approach to climate change policy, feeding consultation responses through the Agency hierarchy to be signed off by the Chairman and Chief Executive. However, the downside to this approach was that positions never really got embedded across the organisation, resulting in key people within the organisation remaining unaware of important Agency opinion, and thereby risking incoherent un-joined up policy advocacy.³⁸

A key difficulty in developing corporate Agency policy advocacy has been the challenge of engaging key staff in the core Agency Policy Directorates, in particular Environmental Protection. On the one hand, such staff offer valuable perspectives and expertise, and need to be brought in to the process of developing policy advocacy in order that a corporate position may be reached. However, on the other hand, heavy operational pressures combined with the view that policy advocacy is not a priority mean that such staff could sometimes only offer very limited time to developing

³⁶ Creating a policy development process for a specific policy area (waste policy) was part of the agenda for the first meeting of the Policy Advocacy R&D Design Group. 26 January 2001

³⁷ Such comments were also received as part of the subsequent stakeholder survey

³⁸ Before starting work on the Policy Advocacy Project, I worked for a year (October 1999 – September 2000) as the Agency focal point on climate change policy within the Sustainable Development Unit. This included developing the Agency's 'policy opinion' on the Government's Draft Climate Change Programme, which was progressed through the consultation response approach described.

Agency policy advocacy positions.³⁹ The process for developing positions had to take account of such constraints, and this is explored further in chapter 6 on project activity. Partly as a result of the project putting policy advocacy firmly on the Agency's corporate agenda, the situation is now different. This is explored further in chapter 7 on project impact.

3.6 The new Chairman and Chief Executive: From campaigns and advice to policy advocacy

The appointment of the new Chairman and Chief Executive, respectively a few months before and after my project began, had a major impact on both my work and the overall direction of the Agency. Both individuals have provided powerful support for the Sustainable Development Unit in stimulating the Agency to engage in policy advocacy and to thereby act as a more pro-active force for sustainable development. The significance of this point deserves to be highlighted, as the Sustainable Development Unit has always faced a very challenging situation as a small unit within a large organisation⁴⁰.

The support of Sir John Harman, the new Chairman, was key to building initial interest and support for the project within the Corporate Affairs and Environmental Strategy Directorates. However, the Chairman placed a strong emphasis on building the *public profile* of the Agency and himself as the head of the Agency through high profile policy campaigns⁴¹. Indeed, this was reflected in the initial preliminary title of my project - "A SWOT Analysis of Potential Policy Campaigns". Whilst "policy campaigns" provided a useful term / framework to develop an alliance of the Chairman, Corporate Affairs and Environmental Strategy Directorates, some potential problems were highlighted early on. In particular, whilst it was agreed that the project should aim to help deliver the Vision by influencing Government policy, the Chairman and Corporate Affairs placed

³⁹ For example, I initially wrote a 25 page discussion paper (19 January 2001) on potential waste policy advocacy positions, which received limited engagement from waste function staff. As a result, more thought was given to developing a *process* more suited to their needs.

⁴⁰ Noted, for example, in "Developing a Sustainable Energy Vision for the Environment Agency". DProf report, Daniel Archard, 22 August 2001

⁴¹ For example, I produced a paper for the Chairman on potential high profile policy campaigns. January 2001

much more emphasis on *the Agency being seen to make a difference*, arguing that the project should also aim to build the Agency's public reputation.⁴²

With the project established, Barbara Young, the new Chief Executive, provided two important forms of support. Firstly, whilst strongly endorsing the work, she insisted that the word "campaign" be abolished in a policy context as it sounded too confrontational, and that the project therefore be re-titled around the term "policy advocacy".⁴³ On reflection, I think this early resolution of *language* was extremely valuable, both in ensuring that the work would not damage relations with Government (identified on various occasions as 'strained',⁴⁴) and in later *mainstreaming* the concept to other core Agency Directorates, in particular Environmental Protection. Arguably, with the Agency formed from the merger of diverse organisations, each with their own culture, such leadership was critical. The term 'policy advocacy' was seen as an acceptable 'middle way', better than 'policy advice' in that it signalled the Agency desire to contribute more effectively to *strategic policy development*, and better than 'policy campaigns' for the reasons given above.

Importantly, the choice of language reflected a much wider debate on the overall *governance* of policy development, and the respective roles of central Government and statutory Agencies in contributing to policy development. On the one hand, it was argued that a statutory Agency should only provide technical advice to assist Government, who have responsibility for leading policy development – such a perspective is often referred to as the 'traditional' view. On the other hand, it was evident that there has been a diffusion of policy responsibility (upwards to EU and international level) and downwards (to regional and local level), alongside increasing emphasis on delivering 'joined up policy' and environmental, social, and economic outcomes (rather than simply legal compliance). In context of this 'new world', it was then argued that it is essential that statutory Agencies with on the ground experience engage in policy influencing, which at times may be necessarily adversarial and strategic in order to deliver against aspirations for 'joined up policy' and 'joined up

⁴² Recorded in notes from 24 October 2000 meeting between Chris Newton, Jeremy Richardson, Richard Streeter and Philip Douglas (Policy Officer, Sustainable Development Unit), and in email received 12 November 2000

⁴³ Barbara Young. Feedback to Policy Advocacy Project. 21 January 2001

⁴⁴ For example, email received 21 August 2001. Significant tensions arose in 2000 between the Agency and the Department through the development of *An Environmental Vision* and the associated *Frameworks for Change*

action on the ground'. The decision to focus the language on 'policy advocacy' was thus a key part of repositioning the Agency with respect to the overall *governance of policy*.

Government – Agency relationships, the changing governance of policy development, and the changing nature of the Agency's policy role are all considered in more depth in the comparative study of English Nature – Agency policy advocacy effectiveness (given as Appendix B1).

4 Personal, societal and academic influences on the project

4.1 My background and personal ideological understanding of sustainable development

My background

Though my interest in environmental issues dates back to my childhood (in particular studying geography at school), my interest in sustainable development policy developed during my 4 year Oxford University BA MEng degree in engineering science. Driven by both my academic and extra-curricular activities, I became increasingly interested in the role of science in society, especially in relation to policy and sustainable development. This led me to undertaking the 1 year work based MProf in Leadership for Sustainable Development with Forum for the Future. The Leadership for Sustainable Development programme made a significant contribution to my personal and professional development, in particular in terms of developing my practical understanding of organisational change and the state of sustainable development policy across different sectors of society. My experience working at the Environment Agency has further developed my understanding of sustainable development, both in terms of technical expertise and progressing organisational change processes.

My personal ideological understanding of sustainable development

An ideology is “a verbal image of the good society and of the chief means of constructing such a society”⁴⁵. As such, and given the very wide range of NGOs, Governments, and businesses now officially committed to sustainable development⁴⁶, simply indicating such a commitment clearly falls short of setting out my ideological position. Some further explanation is required.

⁴⁵ Definition used by Anthony Downs in: Inside Bureaucracy, 1967. Page 237, and An Economic Theory of Democracy. Page 96

⁴⁶ At the 1992 Rio conference on environment and development, more than 178 Governments, including the UK Government, committed themselves to a programme of action for sustainable development. (Earth Summit: Agenda 21 – The UN Programme of action from Rio). In the foreword to A better quality of life: A strategy for sustainable development for the UK. (1999), UK Prime Minister Tony Blair comments: “We now have a strategy for making sustainable development a reality. The whole of Government is committed to this, as are many businesses, groups, and individuals up and down the country. Together, we can ensure that our economy, our society and our environment grow and develop in harmony.”

It should be emphasised that interpretations of sustainable development vary considerably. The most widely circulated definition of sustainable development is that expressed as intergenerational equity: "development that meets the needs of the present without compromising the ability of future generations to meet their needs"⁴⁷. However, I think this definition raises more questions than it answers. In particular, how can society's 'needs' be satisfied whilst also living within the "carrying capacity of supporting ecosystems"⁴⁸?

In my opinion, changing our patterns of development to live within environmental limits will require a fundamental shift in *values*. Fundamentally therefore, my understanding of sustainable development is that it is an *inherently political process* of societal change and learning, requiring far reaching technological, institutional, economic, social and cultural change. As Burgess et al (1999) put it:

*"sustainable development will remain a contested question that will continue to engage firmly with cultural and political issues in reaching judgements about the environment... traditional, scientific analyses of the environment's condition can only contribute to, and occasionally be decisive in, such environmental decision making"*⁴⁹

Such a view of sustainable development contrasts with other perspectives that focus on environment–economy integration and place much less emphasis on the social, political, and governance dimensions. For example the 1995 House of Lords Special Select Committee on Sustainable Development concluded:

*"Sustainable development implies a revision of the path of wealth creation and constrains the parameters of economic decision-making by a full and open recognition of the environmental costs of development"*⁵⁰

Moreover, the State Pressure Response (SPR) model used by the Environment Agency similarly places little emphasis on the economic, social, or governance dimensions of

⁴⁷ World Commission on Environment and Development (WCED), 1987

⁴⁸ IUCN/ UNEP/ WWF, 1991

⁴⁹ An Analytical and Descriptive Model of Sustainable Development for the Environment Agency. Environment and Society Research Unit, UCL, 1999

⁵⁰ House of Lords (1995). Report from the Select Committee on Sustainable Development. Volume I, Report. HL paper 72. Session 1994-95, HMSO, London, p10

sustainable development. As described in the Environment Agency's first Environmental Strategy⁵¹, the SPR approach involves the Agency in:

- gathering facts about the environment
- ascertaining what the scientific and technical position is about 'the state of the environment', both nationally and internationally, and how this differs from the perceived or popular view
- forming a view after appropriate consultation about the various options for action
- informing all of those affected, of the course of action the Agency believes fit to undertake

My view is eloquently articulated again by Burgess et al (1999):

*"This linear and mechanistic model appears to be context and scale independent. It offers little indication of how the state of the environment interfaces with the social, economic and governance / political processes that inevitably influence the Agency's activities... It is difficult to discern what is being sustained, how the Agency is to form a view about appropriate actions at different scales, and how its institutional practices – especially those involving partners and the public – are to be developed and agreed"*⁵²

A real world example that may illustrate my understanding of sustainable development as a political process is that of health risks from landfill sites regulated by the Agency. As *The Guardian* reported in a front page article headlined "Birth defect risks from landfill sites":

*"Friends of the Earth accused the government of playing down the issue, by suggesting there was more risk to babies if their mothers smoked. 'This is completely irrelevant to the issue' said a spokesman. 'For most mothers, foetal exposure to harm from landfills is an involuntary and unknown risk. It is also avoidable if the government had acted with more urgency to reduce the volume of waste going to landfill in the first place'"*⁵³

⁵¹ Environment Agency (undated). An Environmental Strategy for the Millennium and Beyond. Environment Agency, Bristol

⁵² Page 14. An Analytical and Descriptive Model of Sustainable Development for the Environment Agency. Environment and Society Research Unit, UCL, 1999

⁵³ Birth defect risks from landfill sites. Sarah Boseley, Health editor. Front page, *The Guardian*, 17 August 2001

This clearly raises a host of political issues, including social amplification of risk, decision making in context of uncertainty, and the role of precautionary action – contrasting with a view that de-prioritises the ‘environmental pressures’ from landfill sites in context of mathematically greater risks from smoking.

Burgess et al (1999) propose two fundamentally different perspectives on sustainable development – one reductionist, the other contextualist (figures 1 and 2, overleaf). Whilst I recognise that both perspectives have their value (the reductionist approach often enabling faster decision making, for example), my understanding of genuine sustainable development is that it is more aligned with the more democratic, contextualist approach.

This then is my ideological understanding of, and position on, sustainable development. Indeed, I would argue my main motivation in developing the project has been to encourage the development of a more sustainability values driven, politically engaged, Environment Agency.

Figure 1: Approaches to sustainable development

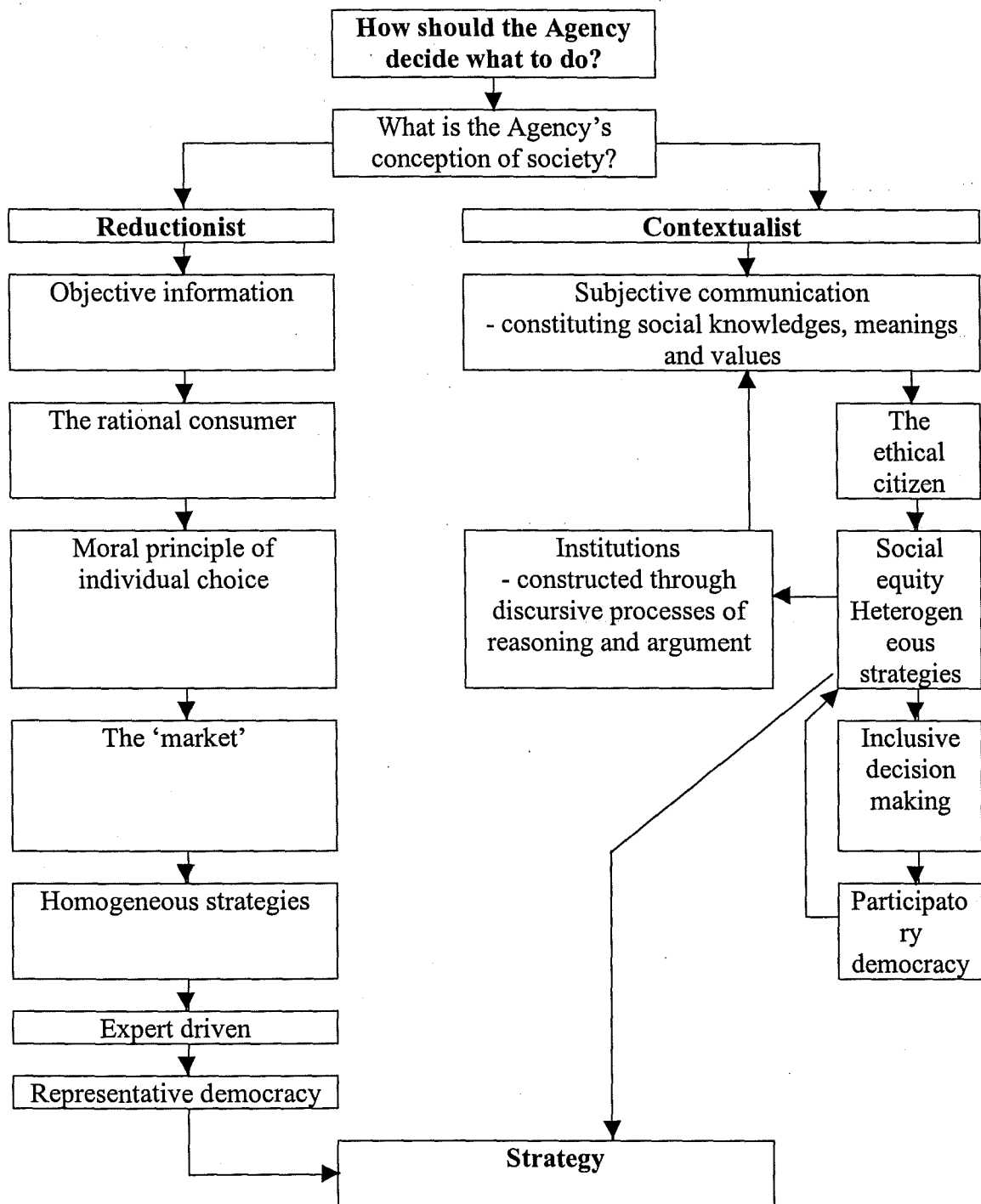


Figure 2: Key Questions to determine decision pathways for sustainable development

Isolated	What kind of individual?	Social
Rationally	How are individuals expected to respond?	Reflexive
Dissemination of information / regulator	What is the role of the Agency and other institutions?	Interactive partnership
Individual preferences	What are the guiding moral principles?	Ethical citizen
Nature monetized	How is the environment integrated with society, economy, and governance?	Common resource / stakeholders
Homogenous / universal – representative democracy	What political and governance processes sustain decision-making?	Local / heterogeneous – participatory democracy
Expert	What knowledge guides decision-making?	Local and expert

Figures 1 & 2 from: Burgess et al (1999)⁵⁴

4.2 Policy advocacy: A means of conveying my understanding of sustainable development to the Environment Agency and progressing change

Put bluntly, with sustainable development both a personal passion and the Agency's primary legal duty⁵⁵, I developed my proposal for a "policy advocacy project" as a

⁵⁴ An Analytical and Descriptive Model of Sustainable Development for the Environment Agency. Environment and Society Research Unit, UCL, 1999

constructive means of addressing my three main frustrations with Agency sustainable development practice:

1. My frustration that, despite a wealth of Agency expertise and experience on environmental policy, the organisation largely confined itself to implementing policy rather than also challenging and influencing that policy⁵⁶
2. I wanted an Agency that would engage with the more strategic, political policy debates as a champion for the environment and sustainable development, in addition to carrying out its statutory operational duties and giving technical policy advice⁵⁷
3. My perception that the Agency has been excessively focused on regulation, despite the increasing evidence that more mixed policy packages are now needed to progress sustainable development⁵⁸

It should at once be recognised that many in the Agency would adopt more of a conservative, 'minimalist' interpretation of the Agency's legal sustainable development duty. This of course highlights the reality that sustainable development is a politically contested term, just as democracy, liberty and social justice are politically contested terms.⁵⁹ Proponents of the minimalist interpretation of the Agency's sustainable development duty (which, certainly at the start of the project, were in the great majority) argue that the Agency is a government body and that it should therefore follow government policy rather than challenge it. They also argue that the Agency was not established to engage in the more strategic, political policy issues, and that the efficient delivery of its statutory operational responsibilities is an important enough contribution to sustainable development.

⁵⁵ Section (4) of the 1995 Environment Act gives the Environment Agency a duty to contribute to sustainable development

⁵⁶ For example: "Agency staff don't like contradicting / challenging Government policy". Email received 8 August 2001

⁵⁷ For example: "Having to produce the overall policy positions has been like getting blood out of a stone. It's been very difficult for the Agency". Agency comment received in stakeholder survey. Similar comments received in email on the position statements, 28 September 2001

⁵⁸ It is of course recognised that, as a regulatory body, it is right that the Agency should to some extent focus on regulation. However, my perception is that the Agency has been poorly resourced to advise Government on other aspects of the policy framework, yet such advice is also necessary to ensure effective policy integration. Much evidence exists to support this perception – see, for example, External review of the Environment Agency's Sustainable Development R&D Programme. Jim Skea, Policy Studies Institute, July 2000

⁵⁹ See W. Gallie, 'Essentially Contested Concepts', *Proceedings of the Aristotelian Society*, 56 (1955-6), 167-98. See also M. Jacobs, 'Sustainable development as a contested concept' in *Fairness and Futurity – Essays on Environmental Sustainability and Social Justice*. Andrew Dobson (ed)

As a result, the Agency has been notably silent on a wide range of politically charged policy debates in the media such as those surrounding nuclear power versus renewable energy, and the role of recycling, incineration and landfill in managing our waste⁶⁰. For example, in the Guardian front page story on 'Birth defect risks from landfill sites' outlined in section 4.1, the Agency was characteristically neutral, commenting only that: "We live in an incredibly complex world. Materials we are comfortable and familiar with at the moment we may not be quite so familiar with in the future"⁶¹. Whilst the Agency's policy advocacy style, tone, and language needs to be carefully handled to ensure an effective relationship with Government, the Agency was, at this point, not even advancing waste policy advocacy opinion behind closed doors with Government.⁶² Moreover, given my view of sustainable development as a political process of changing values, I would argue that it is precisely in these strategic debates that the environment most needs a more influential voice.

Many Agency staff's approach to contributing to sustainable development would, understandably given the nature of the Agency, focus on the change delivered by traditional end of pipe, command and control regulation. By contrast, my conception of sustainable development with its emphasis on changing values (also shared by Jacobs⁶³ and Jackson⁶⁴), focuses more on policy approaches designed to bring about fundamental economic, institutional, social, and cultural change (for example, the fuel duty escalator and vehicle excise duty reform)⁶⁵. Interestingly, whilst many in the Agency would still regard sustainable development as a technical rather than a political process, the Agency has (partly as a result of my project⁶⁶) now begun to address these more political policy areas. As a result, there is now a significant and growing element of the organisation

⁶⁰ This comment applies to before the Policy Advocacy project began. Both the Policy Advocacy project and (in its final year) Dan Archard's Sustainable Energy project have changed Agency practice.

⁶¹ Steve Lee, Agency Head of Waste, quoted in "Birth defect risks from landfill sites". Sarah Boseley, Health editor. Front page, The Guardian, 17 August 2001

⁶² It was only later, through the policy advocacy project, that the Agency adopted a waste policy advocacy position

⁶³ See, for example, M. Jacobs (1997) *The Quality of Life: Social Goods and the Politics of Consumption* (In: *Greening the Millennium*, M. Jacobs (ed))

⁶⁴ See, for example, T. Jackson (1996) *Material Concerns – Pollution, Profit, and Quality of Life*

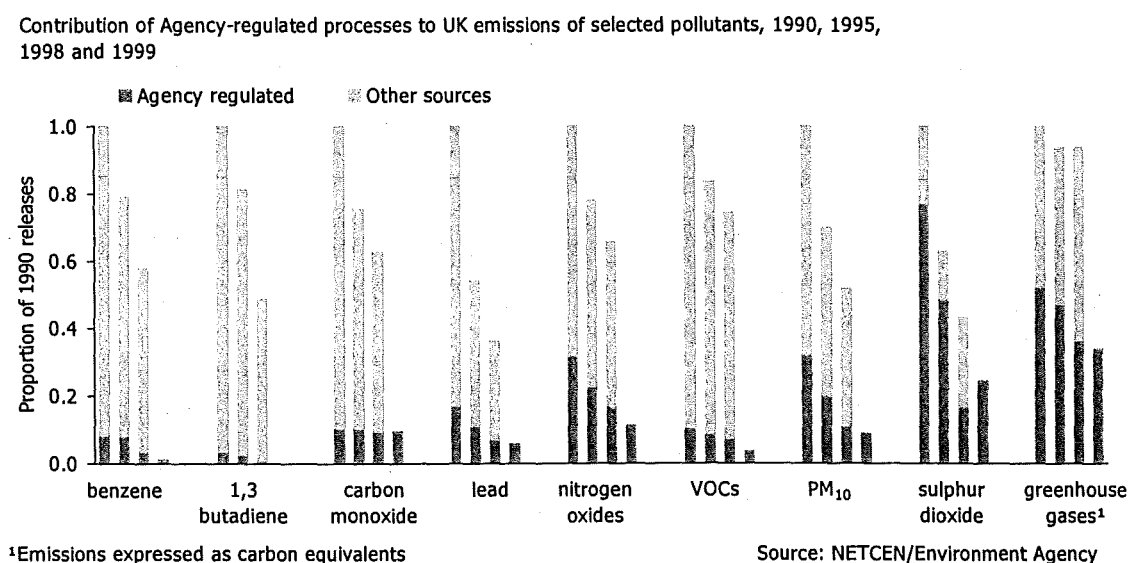
⁶⁵ Transport is the fastest growing source of climate change emissions (Climate Change: The UK Programme. DETR, November 2000), primarily as road miles travelled continues to increase. Both the fuel duty escalator and vehicle excise duty reform – centred around cars environmental performance – have been designed to change patterns of consumption.

⁶⁶ For example, as a result of the policy advocacy project work on waste, the Agency has now adopted a position in favour of variable charging for domestic waste (charging households according to how much rubbish they produce)

that would see an effective Agency contribution to sustainable development as inherently political⁶⁷.

4.3 The pressure from society for Agency policy advocacy

An outline of the different political, economic, social, technological, environmental, and legal reasons for the Agency developing its policy advocacy role is given at Appendix A1 (A PESTEL analysis on the Agency's policy role). However, one reason stands out above all others in order for the Agency to continue to deliver progress in terms of *environmental outcomes*. Put bluntly, the 'low hanging fruit' from traditional point source regulation have now increasingly been picked. As the graph below shows, the contribution of Agency regulated point sources of pollution has in most cases declined sharply over the last decade:



This is not only a UK phenomenon – environmental regulation has been central to the successes of European Community policy, for example in reducing air and water pollution. Moreover, as the **EU 6th Environment Action Programme** highlights, “sources of environmental pollution are no longer concentrated in individual industrial facilities but lie in manifold economic activities and consumer behaviour.”⁶⁸ Indeed, such issues extend beyond EU level – the **OECD environmental indicators** that

⁶⁷ A policy advocacy workshop scheduled for 12 September 2002 (the final event of my project) will further help to bring together and network these people

⁶⁸ Section 8.1, page 61. The Sixth Environment Action programme of the European Community 2001-2010

continue to get worse – such as CO₂ from energy use, total material flows, transport energy use, and municipal waste – again tend to be precisely those central to our systems of production and consumption.⁶⁹

Society's public policy response

At EU level, legislation increasingly aims at regulating *results or outcomes*, rather than the detailed means for achieving them.⁷⁰ Member states are thereby given greater scope to choose the optimum 'mix' of policy instruments (including the use of voluntary agreements, negotiated agreements, and economic instruments) to attain the outcomes set in EU Directives. In this way, the most cost-effective approach can be identified, and Member States can learn from one another's experience. At UK level, Government is keen to build on its experience with the IPPC regulation, Climate Change Levy and associated negotiated agreements policy package, and to explore new approaches to environmental policy.⁷¹

Increasingly, both business and NGOs are also arguing that the traditional relationship between regulator and regulated – based on intervention and restriction of business activities – is on its own unlikely to stimulate the dynamic and innovative approach to environmental performance now needed from business, particularly with respect to diffuse pollution and resource efficiency.⁷²

The Agency response to date and the need for Agency policy advocacy

The Agency is already developing new approaches on several fronts, including:

- Work with Government on the development of quantified environmental outcomes and success criteria for all new regulation⁷³
- National campaigns on wider community impacts, such as oil care, tyres and construction incidents

⁶⁹ See: Pages 22-23, Environmental Modernisation. Michael Jacobs, Fabian Society, October 1999

⁷⁰ Paragraph 3.2.1, Agency consultation response on: The Sixth Environment Action programme of the European Community 2001-2010

⁷¹ This desire is expressed in the UK Sustainable Development Strategy, *A Better Quality of Life*, in the literature from the DETR Market Transformation Programme, and in statements from both Treasury and the Cabinet Office

⁷² Signed, Sealed and delivered? The role of negotiated agreements in the UK, Green Alliance, April 2001

⁷³ Paragraph 69, page 39, DEFRA Environment Agency FMPR Stage 2 report, March 2002

- Promoting business engagement in resource efficiency (e.g. waste minimisation and water efficiency) and uptake of environmental management techniques
- Contributing to the debate on statutory corporate environmental reporting and wider corporate governance issues⁷⁴

However, a wide range of Government / Political and business stakeholders argue that the Agency needs to build its capacity to contribute effectively to the development of future *policy packages* including economic instruments and negotiated agreements alongside traditional command and control regulation.⁷⁵ In addition, NGOs have underlined that the arrival of *negotiated agreements* on the policy scene means that the Agency will need to invest to ensure it has the capacity to be effectively and closely involved in relevant national policy development and target setting negotiations.⁷⁶

Thus, given this reality of an increasing shift from traditional point source regulation to more mixed policy packages, including but certainly not limited to regulation, there has been a strong societal pressure on the Agency to develop its policy analysis and policy advocacy capability – a pressure which was key in enabling the development of my project.

4.4 External pressure against Agency policy advocacy

It should be emphasised that it was recognised from the start that the Agency would need to operate sensitively with respect to any new policy advocacy activity, ensuring that central Government received “no surprises”⁷⁷. Whilst the Agency is an independent Government Agency, it is nevertheless still a part of Government. Moreover, the organisation is the competent body (i.e. has legal responsibility) for the implementation of a wide range of Government policies. It was thus clear from the beginning of the project that the Agency would need to manage its policy advocacy sensitively and

⁷⁴ Consultation response on the Company Law Review. Environment Agency, August 2000

⁷⁵ Page 51, The Environment Agency’s Contribution to EU and UK policy development. An evaluation of effectiveness and options for improvement. P Douglas, July 2002. For a particularly strong expression of the Government’s desire for more mixed policy packages see: Joint letter from UK and Portugal to the EC calling for “regulations only when necessary and when policy objectives cannot be better achieved through alternatives to regulation”. Cabinet Office press statement, 21 February 2001

join forces in vision for better European regulation

⁷⁶ Concussions, page 34. Signed, Sealed and delivered? The role of negotiated agreements in the UK, Green Alliance, April 2001

⁷⁷ Noted in the minutes of the first Policy Advocacy Project Steering Group meeting, 20 February 2001

intelligently, ensuring comments are effectively based on Agency expertise and on the ground experience.

However, it was also clear that playing the role of ‘critical friend’⁷⁸ would not be easy, and that there would inevitably be some tensions with Government civil servants (particularly in DEFRA, the Agency’s sponsor department) who would see the Agency as over-stepping the mark. Indeed, prior to the project, DEFRA had already made clear their dislike of the Agency engaging in activities beyond its statutory duties. For example, DEFRA staff closely monitored the development and final wording of the Agency’s Environmental Vision⁷⁹.

Clearly, the ongoing power struggles – both between the Agency and its sponsor department and between different Government departments – have important implications for Agency engagement in policy advocacy. Handled poorly, policy advocacy may result in DEFRA tightening its grip on the Agency. However, policy advocacy could equally facilitate a more effective Agency – DEFRA relationship, whereby:

- The Agency where possible supports DEFRA messages, thereby supporting DEFRA in its power struggles with other Government departments
- DEFRA uses the Agency as its ‘stalking horse’ to test out responses to more radical policy proposals

4.5 Literature review and academic influences on the project

My understanding of the policy process has developed significantly through designing and carrying out the Agency Policy Advocacy project. The main information sources – which have included academic papers, books, reports, magazines and speeches – that have informed my work are given in the Bibliography, and appropriate referencing has also been given via footnotes. Such secondary information was often valuable in strengthening / weakening my primary research findings. This ‘triangulation’ is explored further in Chapter 5: Methodology.

⁷⁸ The tone of the DEFRA FMPR review of the Agency was one of the Agency acting as ‘critical friend’. Paragraph 1.6.10, page 18. DEFRA Environment Agency FMPR Stage 1 report, August 2001

⁷⁹ An Environmental Vision – *The Environment Agency’s Contribution to Sustainable Development*. Environment Agency, 11 January 2001

Whilst the purpose of the project was to strengthen Agency policy advocacy effectiveness rather than to test a particular theory, several theoretical frameworks have nevertheless informed the approach taken to the project. In many cases though, the frameworks seemed as much common sense as theoretical approaches⁸⁰. The application of several frameworks / concepts to the three main parts of the project – building overall Agency policy advocacy capacity, developing Agency waste policy advocacy effectiveness, and measuring Agency policy advocacy effectiveness – are now considered below.

Multiple-streams framework

The multiple-streams framework⁸¹ was developed by Kingdon (1984) based upon the “garbage can” model of organisational behaviour⁸² (Cohen, March, and Olsen, 1972), characterised by solutions chasing problems and problems chasing solutions. The framework presents the policy process as composed of three streams of actors and processes:

1. A problem stream, consisting of data about various problems and the proponents of various problem definitions
2. A policy stream, involving the proponents of solutions to policy problems
3. A politics stream, consisting of elections and elected officials

According to the framework, the three streams normally function independently – except when policy entrepreneurs seize a ‘window of opportunity’ by attempting to couple the streams. Major policy change then results if the entrepreneurs are successful.

The multiple-streams framework was applied to the project in at least three ways. Firstly, in that the project’s overall aim was to build Agency policy advocacy capacity, the project was itself a “solution” in search of problems. Indeed, as a means of more effectively positioning the project within the organisation, I actively sought to find problems that the project could help solve. For example, overall Agency credibility

⁸⁰ Frequently, in discussions, Professor Jeremy Richardson (academic consultant to the project) highlighted the links between seemingly ‘common sense’ Agency proposals and the theoretical frameworks mentioned here

⁸¹ John Kingdon, 1996. *Agendas, Alternatives, and Public Policies* (originally published in 1984)

⁸² Michael Cohen, James March and Johan P Olsen. A Garbage Can Model of Organisational Choice. *Administrative Sciences Quarterly* 17 (1972) pp1-25

suffers from the NGO and public perception of 'regulatory capture'. As Friends of the Earth have put it: "time and time again, local community groups and FOE local groups tell us that the Agency is on the side of industry, that they are 'mates', that the Agency is 'in the pocket' of industry"⁸³. I therefore sought to present policy advocacy as an activity which would help solve this problem, and there is some evidence suggesting that this approach has been effective⁸⁴.

Secondly, the project proposal to develop "policy advocacy positions" was again a 'solution', with some Agency staff questioning what problems the development of positions would help solve⁸⁵. (The value of policy advocacy positions has already been discussed in section 3.3). Finally, in designing and executing the specific waste policy advocacy process, my colleagues and I purposefully sought to bring together the problem, policy, and politics streams:

1. It was recognised that the problem stream would be well represented by the Agency representatives included in the process⁸⁶
2. External policy stakeholders were included in the process, to ensure a good range of policy solutions would be debated alongside the problems⁸⁷
3. The deliberations of the waste policy working groups were used by the Agency Chairman and Chief Executive to input to the November 2001 DEFRA Waste Summit and the Cabinet Office PIU review of Waste Strategy (both chaired by Secretary of State Margaret Beckett MP)

Advocacy coalition framework

The advocacy coalition framework⁸⁸, developed by Sabatier and Jenkins-Smith (1988, 1993), focuses on the interaction of policy advocacy coalitions – each consisting of actors from a variety of institutions who share a set of policy beliefs – within a policy

⁸³ Evidence to the House of Commons Environment Committee, October 1999. Friends of the Earth's perception of the Environment Agency's performance

⁸⁴ For example, the value of Agency policy advocacy in context of public feeling over incineration was highlighted in: Municipal waste incineration – The Agency as Influencer or reactive regulator? Paper by the Director of Operations. September 2001

⁸⁵ Documented in email sent 7 February 2001

⁸⁶ Noted in the minutes of the first Policy Advocacy Project Steering Group meeting, 20 February 2001. The Agency's strength in problem description partly arises out of its statutory duties, for example in terms of data collection and the responsibility "to form an opinion on the state of the environment" (Environment Act 1995).

⁸⁷ Equally, the first Policy Advocacy Project Steering Group meeting (20 February 2001) recognised that Agency staff would be less effective in articulating relevant policy solutions

subsystem. According to the framework, policy change is a function of both competition within the subsystem and events outside the subsystem. A subsystem consists of actors from a variety of public and private organisations who are actively concerned with a policy problem or issue (e.g. agriculture) and who regularly seek to influence public policy in that domain. The framework has been used to map the belief systems of policy elites and to analyse the conditions under which policy-oriented learning across coalitions can occur.

The advocacy coalition framework was applied to each of the three main parts of the project. At the overall level, the development of support for the Agency venturing into the realms of policy advocacy was progressed in the following order:

1. Initial alliance between the Sustainable Development and Parliamentary and Government Relations Units⁸⁹
2. Wider partnership between the Environmental Strategy Directorate and Corporate Affairs Directorate, with the active support of the Chairman, Chief Executive and NGO pressure⁹⁰
3. Wider mainstreaming across the organisation (in particular with Environmental Protection Directorate)⁹¹ and externally (in particular with DEFRA, as part of the DEFRA Environment Agency FMPR review process)⁹²

Equally, in designing and executing the specific waste policy advocacy process, my colleagues and I purposefully sought to develop an advocacy coalition, involving a wide range of key Government, Business, and NGO policy stakeholders. As the "lessons learned" paper to Agency Directors highlighted: "It must be emphasised that the main value of the process was in delivering significantly enhanced policy credibility on

⁸⁸ Paul Sabatier, 1988. An Advocacy Coalition Framework of Policy Change and the Role of Policy-Oriented Learning Therein. *Policy Sciences* 21: 129-168

⁸⁹ 1 September 2000. Initial meeting involving Philip Douglas (Policy Development Officer, SD Unit), Chris Newton (Head of SD Unit), and Richard Streeter (Head of Parliamentary & Government Relations)

⁹⁰ First meeting of the Policy Advocacy R&D Design Group (26 January 2001) brought together key representatives from the Environmental Strategy and Corporate Affairs Directorates. The Chairman's support was well known, and the Chief Executive contributed some constructive, supportive comments. Paul Jefferiss (then Director of NGO Green Alliance) also participated, as a consultant to the policy advocacy project.

⁹¹ Environmental Protection and Environmental Strategy Heads of Function were brought together to discuss the issue of policy advocacy, with the active support of the Chief Executive

⁹² The Environment Agency adopted an active influencing strategy as part of the Financial, Management, and Policy Review (FMPR) process. The Agency's sustainable development guidance is now being revised to give the Agency a statutory policy advice role, in line with the conclusions of the FMPR

strategic waste issues with key stakeholders, and a much better understanding of the degree of support for different policy options”⁹³.

Finally, the views of key Government/Political, Business and NGO stakeholders were triangulated alongside internal Agency perspectives to give weight to the study evaluating Agency policy advocacy effectiveness and options for improvement⁹⁴. By presenting often very similar comments from Government/Political, Business, NGO and Agency representatives, I hoped to convey the real sense in which stakeholders agreed on key Agency strengths and weaknesses. For example, there is evidently a coalition of voices calling on the Agency to improve its policy advocacy on non-regulatory policy issues⁹⁵. Moreover, in recognition of the importance of advocacy coalitions, the stakeholder survey was purposefully designed to measure “the Agency’s ability to use stakeholder engagement to support its policy advocacy”⁹⁶.

Multi-level governance

The concept of multi-level governance was integrated into all aspects of the project. The role of governance at multiple levels – local government, regional government, national, and EU / international – is evidently an increasingly key issue, as illustrated for example by Grande⁹⁷ and Marks⁹⁸.

In terms of the overall aim of building Agency policy advocacy capacity, the project design group included Agency staff able to represent the Agency’s interface with policy at local, regional, UK, and EU / international levels. The specific waste policy advocacy action research involved stakeholders from local government, the regional level, UK

⁹³ Lessons learned from June – December 2001 Waste policy advocacy process. Paper to Directors Policy Steering Group. 6 June 2002

⁹⁴ The Environment Agency’s Contribution to EU and UK policy development. An evaluation of effectiveness and options for improvement. P Douglas, July 2002.

⁹⁵ Page 50-51. The Environment Agency’s Contribution to EU and UK policy development. An evaluation of effectiveness and options for improvement. P Douglas, July 2002.

⁹⁶ Pages 61-65. The Environment Agency’s Contribution to EU and UK policy development. An evaluation of effectiveness and options for improvement. P Douglas, July 2002.

⁹⁷ Edgar Grande. The state and interest groups in a framework of multi-level decision-making: the case of the European Union’, *Journal of European Public Policy*, 3:3, (1996) pp. 318-38

⁹⁸ Marks, G. et al, ‘European Integration for the 1980s: State-Centre v Multi-Level Governance’, *Journal of Common Market Studies*, 34:3, (1996) pp. 341-78.

government, and (to a much lesser extent) the EU level. Indeed, there was active discussion over the extent to which EU level stakeholders should be included⁹⁹.

In relation to the stakeholder survey evaluating Agency policy advocacy effectiveness and options for improvement, the decision was taken to focus on stakeholders at UK and EU level (though some local and regional Agency representatives were also interviewed). Moreover, in recognition of the importance of multi-level governance, the stakeholder survey was purposefully designed to measure “the Agency’s policy advocacy effectiveness at UK and EU level” and to consider “how the Agency should split its public policy influencing effort between EU, UK, regional and local level”.¹⁰⁰ Thus considerations of multi-level governance were key to all aspects of the project.

Policy frames

As defined by Rein and Schon (1991), a “frame is a perspective from which an amorphous ill-defined situation can be made sense of and acted upon”¹⁰¹. It is argued that ‘policy frames’ can refocus the way policy actors consider existing policy problems, and thereby introduce a ‘bias’ to any subsequent policy options search. For example, in relation to the 1996 Inter-governmental Confederence (IGC), Mazey and Richardson have commented: “In the absence of a fixed agenda, key groups such as businesses, trades unions and environmentalists compete to ‘frame’ the IGC debates in a manner consistent with their own interests. Building on the policy fashion of the 1980s and 1990s, business has been particularly successful in establishing ‘competitiveness’ as a central theme”¹⁰².

Given the fundamental agenda setting nature of ‘policy frames’, an analogy can be made with the scientific ‘paradigms’ identified by Kuhn (1970): “paradigms are the

⁹⁹ On the one hand, the EU is a key driver of UK waste policy and practice. On the other hand, the Agency was navigating its way into new territory as regards its policy role, and it was felt that heavy engagement with EU stakeholders would risk damaging long term relations with DEFRA.

¹⁰⁰ Pages 27-40. The Environment Agency’s Contribution to EU and UK policy development. An evaluation of effectiveness and options for improvement. P Douglas, July 2002.

¹⁰¹ H Rein and Donald A Schon, ‘Frame-reflective Policy Discourse’, in P Wagner, C H Weiss, B Wittrock and H Wollman (eds), *Social Sciences, Modern States. National Experiences and Theoretical Crossroads* (1991) Page 262

¹⁰² S Mazey and J Richardson, ‘Policy Framing: Interest Groups and the Lead up to the 1996 Inter-Governmental Conference’, *West European Politics* (1997) p. 111-33

source of the methods, problem-fields, and standards of solution accepted by any mature scientific field at any given time”¹⁰³.

In terms of the overall aim of building Agency policy advocacy capacity, the project itself was arguably part of the process of *reframing the purpose of the Agency* – from A) delivering legal regulatory *compliance* to B) considering and intelligently advising on the best way to deliver society’s desired environmental *outcomes*. Crucially, whilst B) will generally include traditional ‘A’ type activities, it nevertheless also requires an ongoing Agency commitment to policy advocacy.

Equally, the specific waste policy advocacy action research was purposefully designed to help reframe both the Government’s Waste Strategy 2000 and the Agency implementation of that strategy. The intention of the reframing was to integrate more of a resource productivity and sustainable development perspective into the strategy and its implementation. This reframing was progressed in two ways:

- The desire to further integrate resource productivity and sustainable development perspectives into waste policy was emphasised in the work¹⁰⁴
- The stakeholders included in the process went beyond ‘the usual Agency waste suspects’ to ensure good representation of resource productivity and sustainable development perspectives¹⁰⁵

Interestingly, the latter point about bringing together both internal and external stakeholders holding resource productivity and sustainable development perspectives with the core Agency waste function is consistent with the advocacy coalition framework. As Sabatier emphasises: “One of the advocacy coalition framework’s most innovative features is that it challenges the implicit assumption of most political scientists that an actor’s organisational affiliation is primordial – that there is something

¹⁰³ T Kuhn. *The Structure of Scientific Revolutions* (1970). Page 103

¹⁰⁴ “As part of our commitment to helping strengthen the link between policy and practice, the Environment Agency has established a stakeholder working group process to consider the implications of resource productivity and sustainable development for the highly practical policy area of waste management.” H Chalmers and P Douglas, *Environment Agency Analysis of Stakeholder Policy Recommendations* (21 December 2001)

¹⁰⁵ The process included several members of the Agency Sustainable Development Unit and a variety of external stakeholders, in addition to Agency waste representatives

fundamentally different between legislators, administrative agency officials, interest group leaders, researchers, and journalists”¹⁰⁶.

Finally, in recognition of the importance of policy frames, the stakeholder survey was purposefully designed to include measurement of Agency policy advocacy effectiveness on “strategic issues” and, moreover, in terms of “agenda setting solutions”¹⁰⁷. Thus policy frames were considered in relation to all aspects of the project.

Epistemic communities

Haas (1996) defines an epistemic community as “a network of professionals with recognised expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue-area”¹⁰⁸. Whilst the term ‘epistemic community’ is most frequently used in reference to scientific communities, it should be noted that ‘epistemic communities’ need not in fact be made up of natural scientists or professionals applying the same methodology as natural scientists.

‘Epistemic communities’ were relevant to the project in three main ways. Firstly, in seeking to build overall Agency policy advocacy capacity, it was attempted to tap into the expertise of the ‘political science epistemic community’ through Professor Jeremy Richardson, academic consultant to the project. In addition, the Agency employed two strategic policy practitioners – well known for their contribution to sustainable development policy and thinking – as advisors to the project, in order to benefit from the expertise of the ‘epistemic community’ focussed on influencing UK and EU environmental strategy and sustainable development policy.

Secondly, the specific Agency waste policy advocacy work was purposefully designed to engage the Agency in the epistemic community focused on waste policy and involved a range of key stakeholders from Government, Business and NGOs. Finally, in recognition of the importance of epistemic communities, the stakeholder survey was

¹⁰⁶ P Sabatier, ‘The Advocacy Coalition Framework: revisions and relevance to Europe’, *Journal of European Public Policy* (1998) Page 107

¹⁰⁷ The Environment Agency’s Contribution to EU and UK policy development. An evaluation of effectiveness and options for improvement. P Douglas, July 2002.

¹⁰⁸ P Haas, ‘Introduction: Epistemic communities and international policy co-ordination’. Pages 1-35. In *Knowledge, Power, and International Policy Coordination* – special issue of *International Organization* (1996)

purposefully designed to include measurement of “Agency use of expertise to support policy advocacy” and “the Agency’s ability to use stakeholder engagement to support its policy advocacy”¹⁰⁹. Thus epistemic communities were considered in relation to all main aspects of the project.

The Stages Heuristic

As developed by Jones (1970), Anderson (1975), and Brewer and deLeon (1983), the stages heuristic framework divides the policy process into a series of stages – usually agenda setting, policy formulation and legitimization, implementation and evaluation. Whilst it has been used to discuss some of the factors affecting the process within each stage, it has also received some heavy criticism (e.g Sabatier, 1991)¹¹⁰. For example, Sabatier argues that: “The stages heuristic is not really a causal theory since it never identifies a set of causal drivers that govern the process within and across stages” and “the assumption that there is a single policy cycle focussed on a major piece of legislation oversimplifies the usual process of multiple, interacting cycles involving numerous policy proposals and statutes at multiple levels of government”.

The stages heuristic was only really used in the stakeholder survey – which was purposefully designed to include measurement of Agency policy advocacy effectiveness at “the different stages of the policy cycle – problem identification (whether or not based on systematic policy evaluation), agenda setting solutions, refinement of details, and policy implementation”. Despite the limitations of the stages heuristic, use of the approach proved valuable in identifying a degree of consensus amongst stakeholders and within the Agency that the organisation was weak at agenda setting solutions.

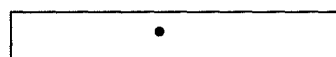
¹⁰⁹ The Environment Agency’s Contribution to EU and UK policy development. An evaluation of effectiveness and options for improvement. P Douglas, July 2002. Expertise: Pages 66-72. Stakeholder engagement: Pages 61-65

The following diagram summarises the extent to which theoretical frameworks / concepts were applied to the project.

Figure 3. Applications of theoretical frameworks / concepts to aspects of the project

Aspect Theoretical framework / concept	Aspect 1 Building overall Agency policy advocacy capacity	Aspect 2 Developing Agency waste policy advocacy effectiveness	Aspect 3 Measuring Agency policy advocacy effectiveness
Multiple streams framework	•	•	
Advocacy coalition framework	•	•	•
Multi-level governance	•	•	•
Policy frames	•	•	•
Epistemic communities	•	•	•
The Stages Heuristic			•

Key:



Theoretical framework / concept applied in project

¹¹⁰ P Sabatier. Toward Better Theories of the Policy Process. Political Science and Politics (1991). Pages 147-156

5 Methodology

5.1 Description of research methodology to address aims (1) and (2)

- Aim (1)** To strengthen Environment Agency policy advocacy effectiveness
- Aim (2)** To identify key features to be included in any process for generating and embedding in the organisation broad policy advocacy positions relevant to UK and EU level policy development

The research was largely qualitative – i.e. collecting and analysing non-numeric data. Action research was used as the dominant approach, essentially as it is well suited to projects focused on both understanding *and creating* organisational change, and where the project boundaries and dimensions evolve as the work progresses. As Coghlan et al put it:

“Action research is an approach to research that aims at both taking action and creating knowledge or theory about that action”¹¹¹

The action research:

developed and tested a process for generating and embedding broad policy advocacy positions, through case study work on waste policy

The process was four part and cyclic (i.e. it is recognised that engagement in stage 3 led to modifications in stages 1 and 2 etc):

1. Identifying and clarifying the problem (by policy advocacy project design and steering groups) – i.e. disagreement over how best to develop broad policy advocacy positions to enhance Agency influence over UK and EU developments (e.g. which stakeholders should be included in discussion of emerging positions?). Indeed, aim (2) resulted from the action research of clarifying aim (1)
2. Identifying and clarifying the change intended to improve the situation (by relevant policy community and policy advocacy design and steering groups). This involved

agreeing a test process to develop policy advocacy positions (e.g. should working groups be established? around which policy areas should the working groups focus? Who should be included? How often should the groups meet? how will these groups fit with other processes?)

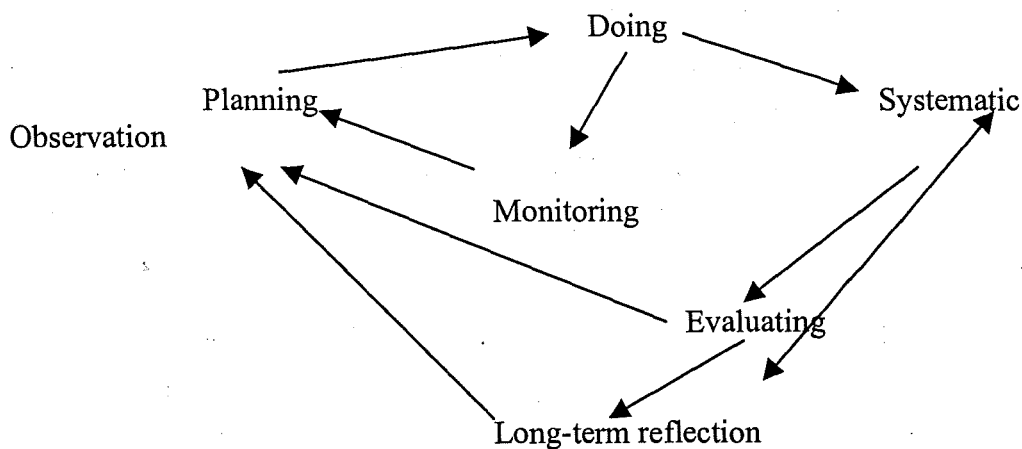
3. Implementing the change intended to improve the situation (by relevant policy community) – i.e. executing the process to develop policy advocacy positions (e.g. holding policy working group meetings, developing material to put to the Board in light of the meetings, and building wider ownership of emerging policy advocacy positions)
4. Testing and evaluation to determine the impact of change made on the original problem – i.e. in terms of degree of consensus over how to develop policy advocacy positions to enhance Agency influence over UK and EU developments (questionnaire to be used to test whether this is evident in perceptions of key stakeholders)

In addition, engagement in each of the above stages of the action research process also enabled valuable thinking and decision making about strengthening *overall* Agency policy advocacy effectiveness (e.g. papers were written to Directors addressing aim (1)).

Key to the action research approach is the idea of ongoing *reflection in practice* combined with less frequent but deeper long-term reflection. Thus the project involved frequent re-assessment of my efforts to strengthen Agency policy advocacy effectiveness, considering how I might more effectively influence the organisation's position as regards policy advocacy. Figure 4 below illustrates the cyclical nature of action research, the complex nature of "real world activity", and the inner and outer levels of reflection in practice:

¹¹¹ D Coghlan & T Brannick, *Doing Action Research in Your Own Organisation*, Sage (2001)

Figure 4: The cyclical nature of action research



From: Griffiths and Morwenna¹¹²

Techniques for data collection and analysis

Participant observation was the research technique used throughout the above stages, although this was complemented by use of a questionnaire in stage (4). The process used to establish waste policy advocacy positions is discussed in Chapter 6: Project Activity. Appendix A3 gives the questionnaire to be used to gain feedback on the process for developing the Agency's waste policy positions. All participants in the waste policy development process were invited to complete the questionnaire. Analysis of questionnaire responses was structured in terms of:

- the waste policy working group process (questions 1-6)
- the effectiveness of the stakeholder engagement (question 7-8)
- frequency of future waste policy working group processes (question 9)
- the Agency's 10 Point Plan for Government address waste policy (question 10)
- measuring success (question 11)
- the value of stakeholder engagement on other policy areas (questions 12-13)

¹¹² Griffiths & Morwenna model. From McNiff et al, You and Your Action Research Project (1996)

5.2 Justification of research methodology to address aims (1) and (2)

The research was generally qualitative, as the focus was on developing insight and exploring a limited number of case studies in detail rather than producing large scale data sets – i.e. the focus was on achieving depth more than breadth.

The action research approach was seen as desirable for a variety of reasons:

Impact on Agency thinking and practice

Action research was seen by the policy advocacy project steering group as the best way of identifying the key features to be included in any process for generating and embedding broad Agency policy advocacy positions. By actually testing the value of a process for generating and embedding policy advocacy positions, workshop participants could learn key lessons about policy advocacy processes¹¹³.

It was not possible to establish experimental conditions, because all the stakeholders were able to influence the process (e.g. by deciding whether to participate in workshops), not only the experimenter. The experimental approach was thus not feasible. Surveys would have involved much less engagement with both Agency and external stakeholders, and would therefore probably have had less impact on the organisation. Equally, as there was no “ideal model of how things might work”¹¹⁴ available to benchmark real life practice against, a soft systems approach would have been artificial, resulting in reduced organisational impact.

The action research entails case studies (on a limited number of policy areas). In addition, it entails an element of ethnography (e.g. in terms of my participant observation on both the waste policy advocacy process and the Agency’s overall engagement with policy advocacy), combined with interviews - to ensure a balanced approach. Nevertheless, to ensure organisational impact, the dominant research approach used was action research.

¹¹³ Policy Advocacy Project Steering Group, 20 February 2001

¹¹⁴ Research methods distance learning resource pack, Middlesex University

Suitability to the research questions outlined in 2.3

Agency understanding of policy advocacy was emergent. As such, action research was chosen to help build organisational clarity and convergence if not consensus, as well as to describe the evolving state of affairs. By contrast, alternative research approaches (e.g. surveys) would simply have revealed the organisational status quo – that there is no agreement on the best way to develop Agency policy advocacy positions. Thus the action research approach went beyond just ‘finding out’ and also into the domain of Agency organisational development.

On the nature of “Agency policy advocacy positions”:

As Agency understanding of policy advocacy positions was emergent, views as to the form they should take were not available in an ‘off the shelf’ package. Action research allowed the business specification for such positions to emerge naturally and strategically – i.e. with high level understanding of the political and policy context.

On determining a “good” process for developing positions:

There was limited Agency agreement and much uncertainty about the factors which are key to delivering an effective process for developing policy advocacy positions. Given the emergent nature of Agency understanding in this area, an action research or ‘trial and error experiential learning’ approach was well suited. The alternative – deciding the “Agency corporate approach” to developing policy advocacy positions prior to engaging in such experience – would have been a matter of guesswork and thus a high risk strategy.

Case studies, experiments, surveys, and ethnography are more suited to a clearly defined research problem rather than one which is emergent. Soft systems was inappropriate, given the lack of any “ideal model of how things might work” for ongoing benchmarking and wider comparative analysis.

Opportunities available

The general role of the Sustainable Development Unit (which part sponsored the research) was to “innovate, embed, and move on”¹¹⁵. Moreover, there was an organisational demand for ‘trial and error experiential learning’¹¹⁶. As such, action research was considered highly timely. By contrast, there was considerably less organisational demand for just ‘finding out’ style research (e.g. surveys), given the large quantities of reports and other written material staff are already expected to read and digest on an ongoing basis.

Personal interest

My motivation was in terms of experiencing an organisational change process and building my understanding of policy development, within the context of sustainable development. The idea of taking an action research approach resonated with both these motivations, but particularly the former. By contrast, static approaches (e.g. surveys / case studies) would only have addressed the latter.

Limitations of the methodology

A key characteristic of the action research approach is that it is usually “in a situation where the researcher has the expertise and authority to make changes to existing practice to improve a perceived problem situation”¹¹⁷. Thus the most significant challenge to effective implementation of the action research approach was that of *influencing without formal authority* and this issue is addressed further in Chapter 6: Project Activity. However, in the great majority of cases, this was not such a problem, because my line manager (Chris Newton, Head of Sustainable Development) not only agreed with the aims of the project, but also regarded it as a personal priority (arguably his top priority). Nevertheless, I attended a one week course at Ashridge management college focussed on the subject of *influencing without formal authority*, which I felt was valuable in strengthening my ability to build support *across* the management hierarchy.

¹¹⁵ The Sustainable Development Unit and Parliamentary and Government Relations unit jointly sponsored the research

¹¹⁶ Policy Advocacy Project Steering Group, 20 February 2001

5.3 Description of research methodology to address aim (3)

Aim (3) To provide an assessment of Environment Agency policy advocacy effectiveness – alongside English Nature in comparative perspective – and to thereby identify options to enhance the Agency's contribution to EU and UK public policy development

This part of the project was progressed primarily through use of a survey approach using interviews, though wide ranging desk based documentary research was also undertaken in order to add robustness to the findings (i.e. there was 'triangulation' of research methods). The research was both quantitative and qualitative, in order to achieve both depth and breadth.

Interviews

The interviews, structured around the Terms of Reference (given at Appendix A4), were conducted with representatives from Government / Politics, Business and NGOs. In addition, representatives from across the management hierarchies of both the Agency and English Nature have been interviewed. Within the Agency, this included staff at Area, Regional, and Head Office level. The full list of English Nature, Agency and external stakeholders interviewed (85 in total) is given at Appendix A5. Stakeholders were asked to score and comment on the following aspects of policy advocacy effectiveness:

- Policy advocacy effectiveness on agriculture, waste and overall environment / sustainable development issues
- Policy advocacy effectiveness at EU level and UK level
- The perceived and desired split of public policy influencing effort between EU, UK, regional / devolved, and local level
- Policy advocacy effectiveness on technical and strategic issues
- Policy advocacy effectiveness at the different stages of the policy development cycle: problem identification, agenda setting solutions, refinement of details, and policy implementation
- Effectiveness in using stakeholder engagement to support policy advocacy

¹¹⁷ Page 19. Distance learning resource pack to accompany Master/Doctorate in Professional Studies. DPS 4825, Middlesex University

- Effectiveness in using expertise to support policy advocacy
- Effectiveness in developing an organisational culture which supports policy advocacy

It is worth reflecting on these themes / frames, as they formed the filters through which the data was analysed. The choice of themes / frames clearly involved subjective judgement, and the risk – as with any research of this nature – was of distorted / skewed findings due to frames chosen. To mitigate this risk, the frames were brainstormed and chosen by the project design and steering group rather than simply being identified by myself.

Stakeholders were also asked to comment on specific policy areas where English Nature and the Environment Agency claimed to have been influential, and in particular on the principles underlying the effectiveness of the approach taken.

External stakeholders were chosen on the basis of satisfying the following two criteria:

1. They have an interest in the contribution to policy development made by the Environment Agency and/or English Nature
2. They were perceived as influential players in the policy community. An initial base of agriculture, waste and overall environment / sustainable development stakeholders was agreed with Helen Richardson (Agency agriculture policy advocate), Steve Lee / Jeff Cooper (Agency Head of Waste Management, Agency Producer Responsibility Manager), and Chris Newton (Agency Head of Sustainable Development)¹¹⁸. Additional 'influential' stakeholders were included on the recommendation of Government and European Commission interviewees

Desk based documentary research

Wide ranging desk-based documentary research was undertaken in order to add robustness to the findings from the interviews. The main information sources – which have included academic papers, books, reports, magazines and speeches – that have informed my work are given in the Bibliography, and appropriate referencing has also

¹¹⁸ The initial base of waste stakeholders was identified from participants in the June – December 2001 Agency waste policy advocacy process. Participants in this process were agreed with Steve Lee (Agency Head of Waste Management), Jeff Cooper (Agency Producer Responsibility Manager) and Chris Newton

been given via footnotes. In order to link effectively with the interviews, documents were considered in relation to essentially the same key themes:

- Policy advocacy effectiveness at EU level and UK level
- The perceived and desired split of public policy influencing effort between EU, UK, regional / devolved, and local level
- Policy advocacy effectiveness on technical and strategic issues
- Policy advocacy effectiveness at the different stages of the policy development cycle: problem identification, agenda setting solutions, refinement of details, and policy implementation
- Effectiveness in using stakeholder engagement to support policy advocacy
- Effectiveness in using expertise to support policy advocacy
- Effectiveness in developing an organisational culture which supports policy advocacy
- Political context to the development of English Nature and the Agency
- Specific examples of English Nature and Agency policy advocacy effectiveness

Key documents considered included:

UK Parliament / Government documents

- DEFRA Environment Agency Financial Management and Policy Review (FMPR) Stage 1 report (August 2001) and Stage 2 report (March 2002)
- The Environment Agency's Objectives and Contribution to Sustainable Development: Statutory Guidance. Consultation Document. DEFRA, January 2002
- House of Commons Environment, Transport, and Regional Affairs Committee's Sixth Report – The Environment Agency. May 2000
- Only Connect: Culture and dysfunction in British Public Service. Discussion paper for the Local Government Association. Sir John Harman, Christmas 1998
- Memorandum of Understanding (MOU) between the DOE and the Environment Agency on the Handling of International Activities, 28 January 1997

EU documents

- European Governance – A White Paper. CEC Brussels 25.7.2001 COM(2001) 428 final

(Agency Head of Sustainable Development). In addition, participants in the initial workshop of the waste

- The Sixth Environment Action Programme. 'Environment 2010: Our future, our choice'. CEC Brussels 24.1.2001 COM(2001) 31 final
- Bridging the Gap: New Needs and Perspectives for Environmental Information. Proceedings of a conference held at Nelson's Dock in London, June 1998

Academic papers

- The 'Implementation of EU Environmental Policy: A policy problem without a political solution?'. Andrew Jordan, Environment and Planning C, 1999, Vol 17, No.1, pages 69-90
- On the political context to the development of the Agency: 'Environmental Policy in Britain' Carter, N. & Lowe, P. (1995) in T. Gray (Ed) 'UK Environment Policy in the 1990s'
- "Predestined to Save the Earth: The Environment Committee of the European Parliament". David Judge, Journal of Environmental Politics, 1992, Vol. 1, No.4, pages 109-128

NGO Reports

- Precaution in practice: how the precautionary principle is used by government, business and NGOs. Green Alliance, May 2002
- Signed, sealed and delivered? The role of negotiated agreements in the UK, Green Alliance, April 2001
- Stephen Tindale (Special Advisor to the Environment Minister 1997-2000 and now Director of Greenpeace), speaking on "is the DETR sustainable?" to the IPPR. 24 January 2001

Agency / National Rivers Authority documents

- Update on Forthcoming EU Environment legislation: Implications for the Agency. Paper by the Director of Corporate Affairs, 13 March 2001
- An Environmental Vision – The Environment Agency's Contribution to Sustainable Development. Environment Agency, 11 January 2001
- Political Influencing Strategy Discussion Paper by Agency Head of Parliamentary and Government Relations, April 2000

policy advocacy process themselves identified additional stakeholders.

- Options for European Community Involvement. Study for the National Rivers Authority, Bruce Naughton Wade, March 1992
- External review of the Environment Agency's Sustainable Development R&D Programme, Jim Skea, Policy Studies Institute, London. July 2000

English Nature documents

- People and Policies Programme Board Terms of Reference, 19 March 2001 (revised 23 November 2001)
- An evaluation of the effectiveness of English Nature's advice to Government. Sarah Burton, Marketing Consultant, 11 March 1996
- English Nature Socio-Economic Advisory Group – Composition and Terms of Reference.

5.4 Justification of methodology to address aim (3)

The research had a large qualitative component, given the focus on developing insight and exploring in some depth attitudes towards and expectations of the Agency. However, there was equally a significant quantitative dimension, in order to emphasise the representative nature of the data sets and to underline key issues.

It was recognised that the quantitative dimension of the research required greater framing of the issue and prior subjective judgement. To address this, such framing and key questions were brainstormed in policy advocacy design and steering group meetings, so that the 'prior subjective judgement' was at least that of several people collectively rather than just being my own. In addition, agriculture and waste were chosen on the basis of being simultaneously EU, UK and Agency agreed environmental policy priorities¹¹⁹. Overall environment / sustainable development policy was also chosen for study in recognition of the increasing importance of effective policy integration¹²⁰. Moreover, qualitative and quantitative research strategies were

¹¹⁹ Agriculture was also an English Nature policy priority, but not waste. Agency Directors Policy Steering Group adopted both agriculture and waste as policy priorities, 30 July 2001. At the time of the study, Cabinet Office PIU were conducting a review of the UK Government waste strategy. Waste / resource efficiency policy is also a priority of the EU 6th Environmental Action Programme. Agriculture policy, which consumes a large proportion of the EU budget, has been an EU priority. The creation of DEFRA and the UK Policy Commission on the Future of Farming and Food consolidated the place of agriculture as a UK environmental policy priority

¹²⁰ For example, delivering more joined up policy is a theme of the Modernising Government White Paper, Cm 4310, March 1999

purposefully combined in order to address this issue and to achieve depth as well as breadth. Surveys were used as the dominant research approach for a variety of reasons:

Impact on Agency thinking and practice

Use of a survey approach allowed data to be gathered from a wide range of representative stakeholders. Given that the nature of the data (perceptions of policy advocacy effectiveness) was fairly subjective, identifying the shared perceptions of a diverse range of stakeholders was essential to ensuring impact on Agency thinking and practice. Alternative research approaches (e.g. action research, soft systems, experiments) would not have allowed data to be gathered from such a wide range of stakeholders, and would therefore have been less appropriate in terms of this key criterion.

Interview research techniques were combined with desk based documentary analysis to increase confidence in the results (i.e. there will be triangulation). The added value of documentary research was that:

- There was organisational interest in and respect for many of the key documents (for example, the DEFRA Environment Agency FMPR reports) – and so analysis based on this data will have additional impact
- Existing documents were easily accessible and readable
- The primary interview based research could not be conducted in isolation from what has been done before – and it allowed consideration of contradictions and similarities between the primary and secondary research findings, thus adding robustness to the work

Two facts as regards the choice of stakeholders are worth highlighting in context of the issue of organisational impact:

- The wide range of internal stakeholders – in order to develop a sophisticated understanding of current and potential Agency policy advocacy
- The focus on Agency influencing primarily through expert groups on the basis of its scientific and wider expertise (hence the inclusion of officials, industry, and political researchers), rather than through public values (hence the exclusion of the media)¹²¹

¹²¹ By contrast, Greenpeace often forms advocacy coalitions with the general public (e.g. on health risks from incinerators)

Suitability to the Terms of Reference

The survey research approach allowed stakeholder perceptions to be triangulated, and the Terms of Reference to thereby be addressed in an academically robust manner. In addition, the approach taken met the academic requirements of validity and reliability – i.e. the approach was logical and could be consistently applied to all stakeholders.

The combination of considering agriculture, waste and overall environment / sustainable development policy areas (as opposed to considering just one of these) added considerable value. However, it is recognised that, from an academic viewpoint, even more policy areas would have been desirable, since there is always the question of how far understanding of specific cases can be transferred to other situations. For example, many stakeholders (unprompted) commented that the Agency was much more effective at policy advocacy on water issues (primarily due to the legacy of the National Rivers Authority)¹²². Unfortunately, time and resource constraints meant that the number of data frames / themes was limited, and ‘water policy’ was not identified as a theme. However, if further work was to be undertaken, there would evidently be value in including ‘water policy’ as a data frame / theme.

Opportunities available

The sustainable development unit (which part sponsored the research) is well networked in strategic policy communities¹²³. Moreover, there was an Agency expectation that the sustainable development unit would continue to build the organisation’s capacity to link focussed technical activity to wider strategic policy issues. As such, the opportunity to conduct survey research by interviews and documentary analysis was readily available. By contrast, the opportunity did not exist to involve large numbers of diverse stakeholders in alternative research approaches (e.g. soft systems or ethnography – where there was insufficient time to gain acceptance to diverse groups).

¹²² Pages 46-48. The Environment Agency’s Contribution to EU and UK policy development. An evaluation of effectiveness and options for improvement. P Douglas, July 2002

Personal interest

My motivation was in terms of experiencing an organisational change process and building my understanding of policy development, within the context of sustainable development. The idea of taking a broad survey approach resonated particularly with the latter motivation. In addition, by interviewing a wide range of internal stakeholders, and by considering the FMPR consultation responses, some significant organisational impact was nevertheless also thought to be possible.

Basis for comparison with English Nature

The Agency was compared with English Nature on the following basis:

The organisations share:	Both organisations' policy advice is based on:
<ul style="list-style-type: none">• NDPB status• Broad UK policy context• Key environmental interests	<ul style="list-style-type: none">• Substantial policy expertise• Experience of policy implementation• Strong commitment to sound science

In particular, both organisations' policy advice is based on substantial expertise in terms of policy implementation experience. English Nature is the Government's statutory advisor on nature conservation and implements parts of the UK Biodiversity Action Plan and various EU directives / UK regulations (e.g. Habitats Directive, Countryside and Rights of Way Act 2000, Wildlife and Countryside Act 1981).¹²³ The Agency is the competent legal body for implementation of a diverse range of EU directives / UK regulations (e.g. Integrated Pollution Prevention and Control Directive, Environment Protection Act 1990) and also has statutory duties to contribute to sustainable development and form an opinion on the state of the environment. Both organisations' policy advice is also based on a strong commitment to sound science, as illustrated by the following comments:

¹²³ The sustainable development unit and Government relations unit jointly sponsor the research.

¹²⁴ From English Nature Corporate Governance Manual, July 2001 and confirmed by English Nature Policy Director Sue Collins in interview in Oct 2001 preliminary study

Comment	Source
The Agency's credentials are as a damn good scientific and technical body	Agency
We have a 'golden rule' not to go out on a policy position unless its underpinned by good science. We take the scientific basis very seriously	English Nature

In addition, English Nature have for several years had position statements, managed through an agreed corporate advocacy framework including English Nature People and Policies Programme Board¹²⁵, Council and Directors, alongside a statutory duty to give independent policy advice. For the Agency, position statements and agreement of a corporate framework for managing policy advocacy (involving Directors Policy Steering Group) has been a recent development, as has been recognised by the FMPR¹²⁶. It is also significant that it is only now that DEFRA are consulting on a statutory policy advice role for the Agency¹²⁷.

Nevertheless, given the similarities in terms of implementation, commitment to science, expertise, NDPB status, environmental interests, and broad UK policy context, it was considered that English Nature experience may be readily transferable into an Agency context. Comparing English Nature with the Agency was also seen as feasible – in many cases the same external people could be interviewed at both UK and EU level and there was high level support for comparison within both organisations¹²⁸.

However, it must be emphasised that it was not assumed that English Nature policy influencing has been in every respect better than that of the Agency. Rather, the intention of the study was to identify the strengths and weaknesses of both organisations, and the principles underlying effective approaches to policy advocacy.

¹²⁵ Influencing policy change is a key aim of the People and Policies Programme Board. People and Policies Programme Board Terms of Reference, 19 March 2001 (revised 23 November 2001)

¹²⁶ Page 67, Paragraph 8. DEFRA Environment Agency Financial Management and Policy Review (FMPR) Stage 2 report, March 2002

¹²⁷ See: Page 15. The Environment Agency's Objectives and Contribution to Sustainable Development: Statutory Guidance. Consultation Document. DEFRA, January 2002

¹²⁸ Sue Collins (Director of Policy, English Nature) and James Marsden (Head of Policy, English Nature) expressed support for and interest in a comparative assessment of Environment Agency and English Nature policy advocacy effectiveness (19 February 2002). Environment Agency Policy Advocacy R&D Steering Group discussion also identified support for such a comparative study, including from Prof

Limitations of the methodology

As highlighted in sections 5.3 (Interviews) and 5.4 (Suitability to the Terms of Reference), the choice of data frames / key themes is inevitably imperfect. Whilst the themes chosen (e.g. effectiveness at UK level, effectiveness at EU level, effectiveness at waste policy, effectiveness at agriculture policy etc) all yielded valuable information, it was also evident that valuable insight would have been obtained from other themes (e.g. 'water policy') which, due to limited resources, were not chosen.

More fundamentally, though some effort was made to refer to a wide range of relevant documents throughout this part of the project, the robustness of the approach nevertheless rested primarily on the triangulation of Government, Business, NGO and Agency / English Nature *perceptions*. Whilst reasonable under the circumstances (given time and resource constraints), it was also recognised that further robustness could be added through supplementary research. Three approaches to such supplementary research (which may be usefully combined alongside the stakeholder perception analysis) are outlined below.

i) Self assessment

Whilst self assessment may not be especially scientific, it can be inexpensive, focussed on the priority policy changes desired, and conducted on a more regular basis than wider stakeholder reviews (for example every Directors Policy Steering Group).

Such an approach has now already been effectively taken on agriculture¹²⁹. For each of the three key issues (funding/modulation, farm management scheme and agri-environment schemes), activities and key changes in Government policy (whether desired / undesired) have been outlined and presented to Directors Policy Steering Group.

Self-assessment could also identify:

Richard MacRory (Agency Board member), John Murlis (Agency Director of Environmental Strategy) and Chris Newton (Agency Head of Sustainable Development)

¹²⁹ Agriculture Policy Advocacy Update. Paper to Directors Policy Steering Group (06/06/02) sponsored by the Director of Environmental Protection

- new policy groups / fora the Agency is entering into as a result of becoming more of an influencing organisation (is the Agency increasingly getting an 'inside track'?)
- examples of where the Agency is explicitly quoted by key organisations / where the exact Agency text reappears in others' documents
- key influences of others on the desired priority policy changes

ii) **Policy network analysis**

A policy network analysis approach would seek to identify which groups the Agency is participating in, at what level (e.g. as co-ordinator, facilitator, technical advisor, strategic policy player) and, equally, which groups the Agency is excluded from. In this way, the policy areas in which the Agency is influential / less influential could be mapped.

Such an approach has the advantage of objectivity. However, given the diverse array of groups, it may be necessary to focus such research. One approach would be to identify which new groups the Agency is entering into as a result of becoming more of a policy-influencing organisation. For example, now that the Agency has a position on CAP reform, the organisation might be expected to develop more of a presence in relevant EU working groups / policy communities.

iii) **Process tracing**

Process tracing generally looks at a particular specific policy that has been implemented (e.g. Directive X or regulation Y), and considers how and by whom the policy has been influenced at each stage of its development, from problem identification and agenda setting to final implementation. In so doing, the Agency's influence over the specific policy can be compared with others and thereby put into wider perspective.

Interviews can be combined with documentary evidence to add objectivity and robustness. However, given the focus on a very specific policy area, the findings may not be transferable (i.e. they be specific to the given policy area).

Process tracing could also be conducted in real time – i.e. the various key influences on a particular policy could be monitored, as opposed to just the Agency's influence on the

policy. Though more resource intensive, such an approach might help the Agency to better understand the policy process and the range of opportunities for influencing.

5.5 Issues arising from my positioning as a worker researcher

My positioning as a worker researcher presented advantages and disadvantages:

Advantages:

- Insider knowledge to Agency culture and positioning with Government on issues of policy advocacy, and its evolving nature – and consequent potential impact of research on organisation
- Special access to key information on the Agency's contribution to policy development – e.g. FMPR consultation responses (in confidence under parliamentary privilege)
- Trust established with key internal policy advocacy stakeholders – allows a significant degree of flexibility and scope for innovation

Disadvantages:

- Risk of being too close to the problem – desire for the project to 'run with the grain' in order to have organisational impact carries the risk of potentially compromising the research
- Risk of the research being too easily influenced by my preferences and those of close colleagues – the privilege of being one of a very small number of stakeholders holding a strategic overview of the research could potentially be abused
- Risk of established trust resulting in the research being allowed to 'drift'
- Risk of being sidetracked from the research into other work activity

The project design and steering groups were established partly to maximise the advantages whilst minimising the disadvantages of insider research – as these groups ensure that I am not developing my thinking in isolation. In addition, I checked my thinking with others external to the organisation (e.g. with my academic consultant), to assist the taking of an unbiased, robust and coherent approach.

5.6 Confidentiality and wider ethical issues

General

Establishing policy advocacy project design and steering groups naturally raised issues of inclusion and exclusion with respect to the groups. Thus, as advanced by Portwood (2000), the creation of 'communities of practice' is not an entirely harmonious process¹³⁰. Care was therefore taken to err on the side of inclusion, and to build trust outside of the formal group structures. There were also confidentiality issues around the extent to which the external consultants were allowed to input to the design and steering groups. Some meetings had to be held without consultants present, and that the general confidential nature of the work was clear to the consultants.

Moreover, the project raised some fundamental ethical questions: Is it right for the Agency – an unelected body – to have opinions and engage in policy advocacy? Is it right for the Agency – as an arm of Government, albeit a quasi-independent body, to publicly voice those opinions on Government policy? Do 'future generations' and 'the environment' have a sufficient voice in our system of parliamentary democracy? Do we need a more participatory democracy, in which the Agency plays its part?

As highlighted in the discussion in section 3.6 on the choice of overall policy language, the project was part of a much wider debate on the overall *governance* of policy development, and the respective roles of central Government and statutory Agencies in contributing to policy. As such, the fundamental basis for Agency engagement had to be continually restated – that there has been a diffusion of policy responsibility (upwards to EU and international level) and downwards (to regional and local level), alongside increasing emphasis on delivering 'joined up policy' and environmental, social, and economic outcomes (rather than simply legal compliance). It was therefore argued that Agency policy advocacy was an essential part of helping Government deliver against its aspirations for 'joined up policy' and 'joined up action on the ground'. Government – Agency relationships, the changing governance of policy development, and the changing nature of the Agency's policy role are all considered in more depth in the comparative study of English Nature – Agency policy advocacy effectiveness (given as Appendix B1).

Nevertheless, the questions raised above take us back to the fundamental purpose of the organisation and to issues of politics and ideology. The Agency's primary legal duty is to contribute to sustainable development, but what does this mean, and to what extent does the law need to be challenged as well as upheld? Arguably, there is no single 'right' answer to such questions, and the Agency's contribution to sustainable development will remain politically contested, just as the concept of sustainable development will remain politically contested. Nevertheless, in developing and executing the project (which has itself contributed to a process of organisational change and learning), I have had to be sensitive in managing significant differences in opinion as regards such questions and the role of the Agency. My general approach (whilst respecting confidentiality) was to be very honest in distinguishing between *established opinion* – where the Agency's role, purpose and position was clear – and *emergent opinion*, where the picture was less clear.

In relation to research methodology for aims (1) and (2)

As with the overarching project groups, the choice of stakeholders for the specific waste case study working groups raised issues of inclusion and exclusion. In addition, clear ethical ground rules (Chatham House rules) were set for the waste policy advocacy process, which were strictly adhered to.

The extent to which emergent Agency policy positions were shared with external stakeholders was clearly a key confidentiality issue. Some aspects of the positions were more contentious, requiring delicate and sophisticated forms of external advocacy. Equally, internally, developing a corporately agreed Agency waste policy advocacy position meant finding a consensus in context of some fundamental differences in Agency opinion. As one Agency representative said: "Our differences internally dwarf those externally". This required showing sensitivity to others feelings, particularly given how passionately some staff felt about certain issues (for example, the role of energy from waste incineration).

¹³⁰ Professor Derek Portwood, NCWBLP. Autumn term, 2000

In relation to research methodology for aim (3)

Care was taken not to betray trust – for example, if an individual spoke in confidence about the difference between his / her opinion and that of his/her function. Moreover, clear ground rules were set for meetings, particularly given the politically sensitive nature of Agency policy advocacy discussions. Access to the FMPR consultation responses prior to public release was under parliamentary privilege, and as such strict confidentiality rules were adhered to.

5.7 Ensuring feasibility of research

Project organisation

In terms of support from colleagues, the steering group generally met on a quarterly basis to provide high level tactical input to the project. In addition, the design group brought together other key stakeholders with an interest in the Agency's policy advocacy work. External consultants provided input to both groups as appropriate. Information for discussion was passed up to the steering group through the design group.

As the project progressed, the steering group was extended to include Chris Hewett (Policy Development Manager) and Peter Madden (Head of Policy). The design group was similarly extended to include: Chris Hewett (Policy Development Manager), Merylyn Hedger (Climate Change Policy Manager) and Peter Madden (Head of Policy).

Steering Group

Name	Position
CHAIR	
Dr John Murlis	Chief Scientist; Director, Environmental Strategy
INTERNAL	
Chris Birks	Director, Thames Region
Philip Douglas	Project Co-ordinator
Sara Parkin	Board member; Director, Forum for the Future
Richard MacRory	Board member; Professor of Law, UCL
Chris Newton	Head of Sustainable Development
Richard Streeter	Head of Parliamentary and Govt Relations

Design Group

Name	Position
CHAIR	
Chris Newton / Richard Streeter	Head of Sustainable Development / Head of Parliamentary and Govt Relations
INTERNAL	
Anna Burns	GLA Liaison Co-ordinator
John Colvin	Social Policy Manager
Robin Chatterjee	Briefing and Policy Relations Manager
Elaine O'Donnell	Head of Public Affairs
Philip Douglas	Project Co-ordinator
Michelle Doyle	Parliamentary Advisor, Parli & Govt Relations
Caroline Hager	EU & International Relations Manager
David Lea	Regional Planning Manager, North West
Ronan Palmer	Chief Economist
Sian Phipps	Liaison Officer, Welsh Assembly

EXTERNAL CONSULTANTS	
Ian Christie	Associate Director, The Local Futures Group
Prof Richardson	Nuffield College, Oxford University
Paul Jefferiss	Director, Green Alliance

Costs and Time plan

My line manager (Chris Newton, Head of Sustainable Development) considered the project cost feasible, and the work was funded out of the Sustainable Development Unit R&D budget. The following time plan was developed in the context of initial discussion at the policy advocacy project design and steering group meetings, and was also considered to be feasible.

Work on aim (1): Internal consensus building on need for Agency policy advocacy

Major consensus building: October 2000 – March 2001

Ongoing limited outreach: April 2001 – September 2002

Work on aim (2): Specific waste policy advocacy case study work

March 2001 – December 2001.

Work on aim (3): Stakeholder Review

Limited review: May 2001 – December 2001

Major interviewing: January 2002 – May 2002

Write up of stakeholder review: June 2002 – September 2002

Oct – Dec 2000	Jan – Mar 2001	Apr – June 2001	July – Sept 2001	Oct – Dec 2001	Jan – Mar 2002	Apr – June 2002	July – Sept 2002
OBJECTIVE 1 Consensus building		OBJECTIVE 1 Ongoing limited outreach					
		OBJECTIVE 2 Waste policy advocacy					
		OBJECTIVE 3 Limited stakeholder review			OBJECTIVE 3 Major interviewing		OBJECTIVE 3 Write up

6 Project Activity

6.1 Building a coalition for change

As discussed in Chapter 3 (organisational context), suggesting that the Agency should engage in policy advocacy represented a fundamental reframing of the purpose of the Agency and a major challenge to traditional Agency ways of working. It was therefore clear that a coalition, extending well beyond the Sustainable Development Unit, needed to be formed if the Agency was to have the courage to 'take the plunge' and engage seriously in policy advocacy. Moreover, the process of building support beyond the Sustainable Development Unit was very much used to help design the project proposal (e.g. delivering the *shared understanding* that the project would focus primarily on UK / EU 'policy advocacy' and on developing policy advocacy positions). As this activity formed a key part of the context in which the work subsequently developed, it has therefore been discussed in sections 3.2 – 3.6. However, it is worth reflecting further on the internal *politics* of this design stage of the project, given its critical agenda setting significance.

As might be expected, there were some initial difficulties in building the coalition. To address concern about 'territorial' issues between the Sustainable Development Unit and the Parliamentary & Government Relations Unit, I arranged a meeting at which it was agreed that the two Units would jointly sponsor my project¹³¹. To address similar political / territorial sensitivities, I also pro-actively went to meet the small Public Affairs team with the Agency's Social Policy Manager, emphasising that I wanted to *learn* and *better understand* the links between Agency reputation building and policy advocacy¹³². Taking such a non-territorial collaborative approach was I think key to securing their subsequent support and involvement, and moreover, to securing the place of the project as central to the Agency's emerging policy advocacy role.

Indeed, the fact that the project was jointly sponsored by the Parliamentary and Government Relations and Sustainable Development Units and enjoyed the broad

¹³¹ Meeting between Chris Newton (Head of Sustainable Development), Richard Streeter (Head of Parliamentary & Government Relations) and Philip Douglas (Policy Officer, Sustainable Development Unit). 1 September 2000

¹³² Meeting between Elaine O'Donnell (Head of Public Affairs), Kate Hinton (Public Affairs), John Colvin (Social Policy Manager, Sustainable Development Unit) and Philip Douglas (Policy Officer, Sustainable Development Unit). 13 March 2001

support of the Environmental Strategy and Corporate Affairs Directorates – alongside the fact that my project was *the first* initiative to address policy advocacy in a substantive way – meant that it would have been very difficult for alternative, similar initiatives to have subsequently surfaced. Confusion that might have arisen was thus avoided, and the project was well positioned to help lead the Agency's engagement in policy advocacy.

To build agreement amongst the design and steering group 'coalition' (as set out in section 5.7) on the Agency's desire to engage in policy advocacy, a number of tactics were used. In particular:

- The new Chief Executive was asked to give an opening address, setting out her priorities for Agency engagement in policy advocacy¹³³
- The Director of a leading NGO, highly regarded for his expertise in policy advocacy, was used to give a major presentation on potential policy changes and potential Agency policy advocacy¹³⁴
- To add further weight, Professor Jeremy Richardson was included for his expertise in the policy development process and in his capacity as academic consultant to the project

Such tactics proved to be highly effective in ensuring staff's participation. Comments received by email included: "This meeting is extremely important – will rearrange other activities" and "It was good to meet Jeremy – I'm sure he has got much to offer if we use him well". Moreover, this first meeting of the policy advocacy project design group was key in not only agreeing three policy advocacy priorities but in also accepting the need to develop policy positions that went beyond problem description and into the domain of advocating policy options / solutions¹³⁵.

¹³³ Whilst, in the event, the Chief Executive was not able to attend, her name ensured that people attended. Moreover, she contributed 3 pages of comments on paper, which served the purpose of underlining her commitment to Agency engagement in policy advocacy

¹³⁴ Paul Jefferiss (then Director of Green Alliance) was employed by the Agency as a consultant to the project

¹³⁵ First meeting of the Policy Advocacy R&D Design Group (26 January 2001) brought together key representatives from the Environmental Strategy and Corporate Affairs Directorates

6.2 An early impact in favour of the principle of policy advocacy

In this early phase of the project, I secured a number of opportunities to advance the case for Agency policy advocacy. In October 2000, I wrote a paper for Directors on “what is asked of the Agency and how it is joined up”. This essentially made the point that the Agency is committed to contributing to the Government’s delivery of integrated action on the ground and that Agency policy advice can play a key role in assisting in such joining up. The paper was adopted as a key part of the overall Agency influencing strategy for the DEFRA Environment Agency Financial Management and Policy Review (FMPR). In January 2001, the Chairman also requested a paper on “potential high profile campaigns” which I wrote, thereby consolidating his interest in policy advocacy. As discussed in section 3.6, the Chairman placed more emphasis on building the Agency’s public profile, and it was not until the first meeting of the policy advocacy design group (26 January 2001) that the shared language of “policy advocacy” was agreed.

In February 2001, Directors requested that I write a paper “on the development of Agency policy for external advocacy on cross cutting issues”, which similarly consolidated their interest in policy advocacy. A subsequent paper to Directors (June 2001), which established Agency policy priorities, was also largely based on my papers to the Chairman and those summarising policy advocacy design and steering group discussion¹³⁶.

It was evident that the new Chief Executive placed emphasis on policy advocacy, in contrast to the previous Chief Executive, who was more interested in operations and implementation. Thus, having secured the support of both the Chairman and Chief Executive, the idea of Agency policy advocacy was now beginning to become more acceptable. For example, policy advocacy was established a key theme of the “refocused” Environmental Strategy Directorate, and (with my involvement on the social policy design group) was gradually integrated into the emerging Agency social policy framework¹³⁷. At this point, however, DETR, MAFF, the core Agency

¹³⁶ Paragraph 2.1 – Identification of Priorities. From: Policy Priorities. Paper to Directors by Dr John Murlis – Director of Environmental Strategy. Directors Policy Steering Group, 30 July 2001

¹³⁷ For example, policy advocacy appears as a key theme in the January 2002 Paper to Directors on Social Deprivation and the Environment. John Colvin, Social Policy Manager, Sustainable Development Unit

Directorates and the vast bulk of the organisation were generally much less convinced, with key parts of the Agency continuing to resist the idea of Agency policy advocacy.

6.3 The need to focus my efforts

The January 2001 policy advocacy design group meeting was a milestone in developing agreement between two Agency Head Office Directorates that “the Agency is pretty good at sitting on the fence” and that this needed to change. However, I soon realised that things were much easier said than done, particularly as other Directorates also needed to be involved. Soon after, for example, I participated in a meeting of a cross-regional Agency group discussing waste policy and practice¹³⁸. Whilst the discussion was interesting, comments were very much focussed around problems – for example: “The current approach to achieving waste targets needs to be more flexible” and “The protocols for flytipping and waste to energy need to be made clearer”. In each of these cases, no solutions were offered – even when I asked directly: How could the approach to achieving waste targets be made more flexible? How could the protocols be made clearer? The Agency mainstream mindset seemed to be “We’ve identified and described the problems. Now we need to wait for others to suggest and Government to agree some solutions”.

The task of creating policy advocacy positions was thus a highly challenging one for the Agency –several Agency staff later described the process as “like getting blood out of a stone” – and the “problem description” mindset was undoubtedly a key hindrance to progressing change. I therefore decided with my line manager that I needed to focus my efforts on creating a corporately agreed policy advocacy position for a particular policy area. Whilst this was my suggestion, I was nevertheless in two minds about it at the time – after all, we wanted the organisation to commit to policy advocacy positions on a range of policy areas. On reflection, however, I am convinced this was absolutely the right decision – producing one high quality, robust, corporately agreed position was exactly what was needed to demonstrate the feasibility of policy advocacy positions in other policy areas. In practice, far from holding back progress on other areas, making clear that the waste policy advocacy position was being produced and that the Agency was thereby finally committing itself to having opinions on strategic issues *helped drive the development of other positions*.

6.4 Obtaining agreement for a focus on waste policy advocacy

The first meeting of the policy advocacy design group brainstormed key policy issues and, using a multi-criteria analysis approach, identified three policy priorities – chemicals, climate change, and waste¹³⁹. Of the three priorities, my personal preference was for waste, due to the subject being one of the Chairman's priorities (unlike chemicals) and also offering more scope to penetrate the mainstream of the organisation (waste is a mainstream Agency function, whereas climate change cuts across a wide range of Agency functions). To some extent, the decision to focus on waste was also opportunistic. In the event, the following drivers, considered together, were decisive in securing agreement for a process to generate an Agency waste policy advocacy position and to thereby enhance Agency policy advocacy effectiveness.

Key Drivers	Internal	External
Top Down	<ul style="list-style-type: none">Barbara Young's call for a waste advocacy position on publication of the Government's 2001 annual SD report, in which waste was a failing indicator¹⁴⁰	<ul style="list-style-type: none">Cabinet Office PIU project on resource productivity, plus status of waste and resource productivity as a key theme of the EU 6th Environment Action Programme
Bottom Up	<ul style="list-style-type: none">Experience of practitioners on the ground, who have found it difficult to represent the Agency in the absence of an official position statement	<ul style="list-style-type: none">Agency faces high level of public concern over waste issues on the ground, in particular in relation to proposals for new incinerators

Moreover, the bottom up public opposition to new incinerators has of course been a key driver of the top down pressure. In February 2002, for example, Greenpeace volunteers – following their occupation of the London Edmonton incinerator in October 2000 – occupied the London Lewisham incinerator, declaring: "The plant that burns Blair's rubbish is putting Britain's children at risk"¹⁴¹. Since then, the Government has blocked

¹³⁸ The meeting was held on 15 February 2001

¹³⁹ Policy Advocacy R&D Design Group. 26 January 2001

¹⁴⁰ "I think the line we ought to take is to put forward a positive set of actions which we believe are necessary to tackle the two indicators which are going the wrong way. The headline is 'Where we are failing to be sustainable and what the EA believes is needed to turn that around'." Barbara Young, 22 January 2001

¹⁴¹ Greenpeace Press Release, 25 February 2002

plans to expand the Edmonton incinerator¹⁴². Equally, at the more local level, protestors in Essex have been lodging a legal challenge to stop the adoption of the Essex Waste Plan which permits incinerators at six identified sites 'or at other locations'¹⁴³.

Meanwhile, the public "take the view that the Agency should be acting against incinerators rather than supporting them"¹⁴⁴ and all Head Office Agency staff have been advised that the Agency "could be targeted by groups protesting about the development of incinerators as part of a 'Global Day of Action Against Incineration'"¹⁴⁵. This context underlined the need for the Agency to develop a waste policy advocacy position – so that it could become part of the solution, helping to improve the policy framework rather than merely seeking to implement it.

Interestingly, the Agency had at this point already produced a draft 'policy' on the role of incineration as a part of waste management, and was about to hold a workshop to review it¹⁴⁶. However, this 'policy' (given as Figure 5) was very much at the level of principle, describing the ideal practice that the Agency would like to see in terms of incineration. Though valuable in setting out the Agency's preferred environmental outcome, this 'policy' was however notably silent on any policy instruments and measures necessary to deliver the outcome in practice.

¹⁴² The Government refused permission on environmental grounds for expansion of the Edmonton incinerator in North London, 23 May 2002

¹⁴³ Press Release, Essex Friends of the Earth, 13 November 2001

¹⁴⁴ Email received from BBC representative. The view expressed is that of a member of the public, not of the BBC

¹⁴⁵ Email received 13 June 2002 – in relation to 17 June 2002 "Global Day of Action Against Incineration"

¹⁴⁶ Environment Agency Draft policy on incineration as a part of waste management - Workshop to review the draft policy, 15 March 2001

Figure 5: Agency draft policy on incineration¹⁴⁷

“The Agency has no objection in principle to incineration provided that:

- incineration does not undermine better waste management options within the waste hierarchy
- incineration represents the Best Practicable Environmental Option for the disposal of the waste taking into account the waste hierarchy
- incineration forms part of a regional or local strategy developed by local authorities based on the Best Practicable Environmental Option for the area considering reduction, reuse, recycling, recovery and disposal, taking into account the need to dispose of waste in the nearest appropriate installation
- the size, location and type of incinerator is consistent with the regional strategy and with statutory requirements to establish an integrated and adequate network of waste disposal installations
- individual incinerators meet stringent controls so as to minimise pollution of the environment, impact on human health and the effects on the local amenity”

Arguably, the ‘draft policy on incineration’ was actually a statement of vision, requiring some policy from Government to deliver its implementation – and some Agency policy advocacy to help drive the development of such Government policy. For example, given the way economic incentives are currently skewed in favour of incineration, it is frequently argued that an incineration tax is needed¹⁴⁸ to ensure that (as specified): “incineration does not undermine better waste management options within the waste hierarchy”.

In January 2001, I wrote a paper to stimulate discussion with the Agency waste function on potential Agency waste policy advocacy. My line manager emailed the document to the waste function in context of the Chief Executive’s need for comment on the Government’s failing Quality of Life waste indicator and her subsequent disappointment when a robust solutions oriented comment failed to emerge. Given the discussion document’s lack of impact on the waste function, it was clear that a *shared position* needed to be developed. I therefore arranged a meeting with my line manager

¹⁴⁷ As at 15 March 2001

¹⁴⁸ Friends of the Earth, for example, would argue in favour of a tax on incineration, in much the same way that there is a tax on landfill

and the waste function¹⁴⁹. At this meeting, on 12 March 2001, it was agreed that a *process* would be put in place to generate a waste policy advocacy position.

6.5 Securing the agreement for a waste policy advocacy process

Three concerns needed to be addressed to *secure the agreement* for a waste policy advocacy process:

1. A concern by an Agency Director that the Head of Waste should be seen to lead the waste policy advocacy process. At the same time, the Head of Waste was clear that he was under enormous operational pressure and did not have much time to give to the process. To resolve this situation, an approach was adopted whereby multiple presentations and briefings were regularly prepared in advance for the Head of Waste. In this way, he was seen to be leading the process at the stakeholder workshops, but with the behind the scenes waste policy analysis work (production of reports and discussion papers etc) taking place primarily outside the waste function. This approach worked sufficiently well to keep the Director 'on board' and for the process to function effectively
2. A concern that the process would damage relations with the DETR, the Agency's sponsor Department. Fortunately though, the Cabinet Office Performance and Innovation Unit (PIU) had written to the new Agency Chief Executive asking for an Agency contribution to their resource productivity study. This request was cascaded down to my line manager and I, and we took the opportunity to meet with the Cabinet Office PIU officials, outlining our planned waste policy stakeholder engagement work as an important part of any contribution to their study. PIU involvement in the Agency waste policy advocacy process was thereby secured, and a letter from the Cabinet Office to a senior DETR official ensured that the DETR would not stand in the way
3. A perception by some Agency staff that the waste policy advocacy process would simply be yet further discussion on specific policy implementation options and would thereby "reinvent the wheel" when what was needed was to "get on with the

¹⁴⁹ Meeting between Steve Lee (Head of Waste), Jeff Cooper (Producer Responsibility Manager), Chris Newton (Head of Sustainable Development), and Philip Douglas (Policy Officer, Sustainable

job of implementation”¹⁵⁰. This concern was resolved by clarifying that the purpose of the waste policy advocacy process was to focus on strategic issues and new policy design, rather than downstream implementation options for existing policy

Each of the above concerns threatened to hinder the waste policy advocacy work, and it was important that they were properly addressed.

6.6 Immediate external impact of the Agency waste policy advocacy process

The overall reaction at the first Agency waste policy stakeholder workshop to the Agency developing its policy advocacy role was very positive¹⁵¹. Only one stakeholder asked: “is this the Agency’s role?” and even that person was satisfied by the reply from other stakeholders around the table. Arguably, in light of previous stakeholder criticism of the Agency for not challenging Government policy¹⁵², this was to be expected.

Others emphasised the need for some waste policy development, arguing that the Agency was filling an important gap. For example, one stakeholder commented: “I’ve been disappointed with the way the Cabinet Office resource productivity review has focussed almost exclusively on energy while ignoring materials/waste issues – so I’m very supportive of the approach your taking”.

6.7 Delivering an effective waste policy advocacy process

An outline of the process for developing the Agency’s waste policy advocacy position is given at Appendix A2. Key activities which helped to deliver an effective waste policy advocacy process were as follows:

Development Unit). 12 March 2001

¹⁵⁰ Email received 17 April 2001

¹⁵¹ The first workshop was held on 22 June 2001, in London

In terms of process design:

1. Discussion from the policy advocacy design and steering groups was used to inform the design of the process and, in particular, to incorporate the following proposals¹⁵³:
 - to structure the groups around policy areas not spatial levels
 - a focus on strategic cross cutting policy areas - such as economic instruments, and producer responsibility - rather than narrower areas such as tyres
 - inclusion of “zero waste advocates” in the groups to challenge conventional thinking in terms of solutions
 - inclusion of external stakeholders (from the Government, Business and NGO sectors), to help ensure effective solutions
 - inclusion of academics
 - framing the overall process in terms of resource productivity and sustainable development
2. The framing in terms of resource productivity and sustainable development was progressed in two ways:
 - The desire to further integrate resource productivity and sustainable development perspectives into waste policy was emphasised in the work¹⁵⁴
 - The stakeholders included in the process went beyond ‘the usual Agency waste suspects’ to ensure good representation of resource productivity and sustainable development perspectives¹⁵⁵
3. The use of professional facilitators for the waste policy workshops¹⁵⁶ helped ensure that they were well structured and that there was fair discussion – arguably important given political sensitivities about the nature of Agency policy advocacy.

¹⁵² Transcript from: Environment Agency Draft policy on incineration as a part of waste management - Workshop to review the draft policy, 15 March 2001

¹⁵³ Noted in email sent 8 March 2001

¹⁵⁴ “As part of our commitment to helping strengthen the link between policy and practice, the Environment Agency has established a stakeholder working group process to consider the implications of resource productivity and sustainable development for the highly practical policy area of waste management.” H Chalmers and P Douglas, Environment Agency Analysis of Stakeholder Policy Recommendations (21 December 2001)

¹⁵⁵ The process included several members of the Agency Sustainable Development Unit and a variety of external stakeholders, in addition to Agency waste representatives

For example, discussion with the facilitators led to the decision to make the first workshops a ‘framing’ exercise, rather than the Agency framing the debate prior to the workshop. Such *shared framing* delivered an agreement to structure discussion in subsequent workshops around the following key themes:

Group 1: Overall strategy	Group 2: Economic incentives	Group 3: Producer responsibility
<ul style="list-style-type: none"> • Removing barriers to joined up thinking, working and outcomes • Community engagement and culture • Role of energy from waste 	<ul style="list-style-type: none"> • Realigning economic incentives with the waste hierarchy • Stimulating the supply of and demand for recyclables and eco-design 	<ul style="list-style-type: none"> • Information • Waste / resource efficiency clubs • Producer responsibility approaches

4. Participants in the first workshop were asked if there were any additional stakeholders that they would like to see included in subsequent discussion. This led to the groups being extended to include several new stakeholders (for example, Friends of the Earth and the Federation of Small Business) – which helped foster the sense of a more inclusive approach to policy development and built further support

In terms of the credibility of the process as a whole:

5. Effort was made to take on board stakeholder views in order to develop shared understanding. For example, after the first June / July workshops, papers identifying policy options were produced and these were purposefully structured around the themes agreed in the first workshops. This helped constructive workshop discussion of the policy options in September. I then led the production of a report identifying areas of stakeholder agreement and disagreement, and secured a foreword by the Agency’s Chairman, which was circulated to workshop participants
6. I used stakeholder viewpoints to inform the Agency’s policy positioning on several fronts, for example:

¹⁵⁶ Professor Judith Petts (University of Birmingham, and a recognised expert in both stakeholder engagement and waste) facilitated the Overall Strategy workshops. Sue Porter (Sustainable Futures, full time facilitator) facilitated the other two groups

- The Agency's overall corporate position statement on waste, agreed by Agency Directors Policy Steering Group¹⁵⁷
 - The Agency 10 Point Plan for waste policy, presented at the November 2001 DEFRA Waste Summit chaired by Secretary of State Margaret Beckett MP
 - The Agency's response to the DTI Renewables Obligation
 - A paper for HMT on economic instruments majoring on waste, in context of the Pre Budget Report
 - Speech by the Chairman to the December 2001 Agency stakeholder waste forum
7. Feedback was sought from workshop participants on the effectiveness of the waste policy advocacy process. I led the production of a report analysing stakeholder feedback, which again was circulated to workshop participants, and was positively received by the Agency Head of Waste. In particular, the feedback report added objectivity to the evaluation of the process. A 'lessons learned' paper was subsequently produced for Agency Directors Policy Steering Group, to inform future advocacy processes.

In addition to those issues outlined in section 6.5, key activities which threatened to hinder the effectiveness of the process were as follows:

1. Some stakeholders expressed concern that "it's not the role of this process to develop government policy"¹⁵⁸. It was therefore important to make clear that the role of the process was to help the Agency develop its policy position and make policy recommendations, by enhancing the organisation's understanding of stakeholder attitudes. It was similarly important to stress that the policy options in the discussion papers were nothing more than recommendations collected from a diverse range of stakeholders, as opposed to Agency endorsed policy recommendations
2. There were wider tensions between the Agency and its sponsor Department over whether the Agency Corporate Plan would be published ahead of the DEFRA Financial Management and Policy Review (FMPR) report. This was the context in which DEFRA requested that the Agency refrain from issuing waste policy press

¹⁵⁷ <http://www.environment-agency.gov.uk/commondata/105385/waste.pdf>

¹⁵⁸ Email received 10 July 2001

releases in advance of the DEFRA Waste Summit – something which the Agency did not agree to. However, overall, the Agency's relationship with DEFRA was reasonably handled, evident from the Agency Chairman being invited to join Secretary of State Margaret Beckett MP for a press briefing¹⁵⁹

There remained some disagreement within the Agency as to the content of the Agency's policy positioning and even whether the Agency should be engaging in the activity at all. One person emphasised that the Agency had no legal basis for engaging in such policy influencing activity¹⁶⁰. To address this, I organised an internal workshop in November, which delivered a shared understanding and commitment to the Agency's overall corporate position statement and 10 Point Plan for waste submitted to the DEFRA Waste Summit

6.8 Developing the Agency's relationship with Cabinet Office PIU

The waste policy advocacy process helped to strengthen overall Agency policy advocacy effectiveness by building the organisation's relationship with the Cabinet Office Performance and Innovation Unit (PIU). The PIU reports directly to the Prime Minister through the Cabinet Secretary and is often used by Government to progress policy development on difficult cross cutting issues¹⁶¹.

Through involving the PIU in the design of the Agency waste policy development work, my line manager and I helped to secure the Agency as a player in the PIU study on resource productivity. Moreover, we pressed for some PIU engagement on waste, and they subsequently committed to a small waste case study as part of their overall resource productivity project. In addition, I was included as part of the PIU team which interviewed Lewisham and Dudley Councils for the PIU waste case study. My subsequent comments on their first and second draft versions were described as "very helpful" in terms of assisting Cabinet Office make the strategic case for change¹⁶².

¹⁵⁹ Email received 20 November 2001. The Agency Chairman was invited to join Secretary of State Margaret Beckett MP, alongside Vic Cocker (WRAP), Kay Twitchen (Local Government Association), and Julie Hill (Green Alliance)

¹⁶⁰ For example, in email received 22 March 2001

¹⁶¹ For example, recent Cabinet Office PIU projects have focused on resource productivity, waste, energy, and risk and uncertainty – all important cross-cutting issues requiring 'joined up' Government

¹⁶² Logged in email received 13 August 2001

More fundamentally, the process played a significant role in helping build up the broad base of stakeholder pressure which led to the decision for a Cabinet Office PIU review of Government waste strategy, with the Agency securing representation on the PIU Waste Project Advisory Group¹⁶³. This contrasts with the situation in April 2001, when the PIU draft waste study document did not include the Agency in their list of stakeholders¹⁶⁴. Significantly, the final Agency waste policy workshop of the series, addressed by Agency Chairman Sir John Harman, included Cabinet Office PIU representatives leading the review of Waste Strategy 2000.

6.9 Wider agenda setting on Agency policy advocacy

Whilst the development of an Agency waste policy advocacy position was a new and agenda setting activity in its own right, I was also able to engage in some agenda setting in relation to the Agency's *overall policy advocacy effectiveness*. My four main generic agenda setting activities were:

- defining some overall *Terms of Reference* for the policy advocacy position statements
- shaping the development of policy advocacy strategies
- calling for a disputes resolution process given internal disagreement on policy for advocacy
- calling for ongoing measurement of Agency influencing effectiveness

In relation to the policy advocacy position statements, I felt there was no defining common philosophy, framework or sense of purpose – and that an overview needed to be taken to ensure their effective integration. I therefore wrote a paper and arranged a meeting with the Director of Corporate Affairs, who agreed with my analysis, and the Directors Policy Steering Group subsequently adopted the paper as the Terms of Reference for the policy position statements¹⁶⁵ (given in Appendix B3). One of my main points in the paper was that the position statements needed to make links to the Agency's "locus" (i.e. in terms of current or future on the ground experience / duties, expertise, Environmental Vision outcomes, and stakeholder expectations on the

¹⁶³ Paul Leinster (Director, Environmental Protection) – sits on PIU Waste Project Advisory Group

¹⁶⁴ Cabinet Office PIU draft waste case study scoping note, as at 25 April 2001.

¹⁶⁵ Meeting with Director of Corporate Affairs, 27 July 2001. Paper adopted as Terms of Reference at Directors Policy Steering Group, 30 July 2001

Agency). A section addressing “The Agency’s role” has now been added to each of the positions.

Equally, in December 2001, I felt similarly that the ‘advocacy plans’ outlining the influencing strategies to be used in relation to the policy positions needed to effectively ‘hang together’. My line manager, the Head of Parliamentary and Government Relations and I therefore met, and it was subsequently agreed by Directors Policy Steering Group that my draft waste policy advocacy plan would be developed into an example for others to follow¹⁶⁶.

By contrast, my attempt to establish a clear process for managing fundamental internal disagreements over policy advocacy was – though endorsed by my line manager – interestingly not seen as helpful to strengthening Agency policy advocacy effectiveness. The specific context which prompted my general concern was when I was given responsibility for developing the Agency response to the DTI renewables obligation consultation, and it was evident that Agency opinion was strongly divided on the role of energy from waste incineration. Whilst a compromise was eventually reached, at the time there was a very real risk of the Agency saying nothing at all of real substance, due to internal disagreement and the organisation being – as one senior manager put it: “constitutionally incapable of making its mind up”¹⁶⁷.

In short, the protracted process of largely power based internal negotiation led to my forming the opinion that, where there are *fundamental* internal Agency disagreements on strategic policy options for advocacy, the different sides of the argument should be submitted to Directors Policy Steering Group and/or an internal task force bringing together the relevant Agency interests. Whilst such an approach would be more time consuming, it would however offer the following advantages:

- By having two opposing positions submitted for consideration, the political and strategic arguments can be made transparent alongside the technical
- It gives the option of the Agency getting off the fence with a clear position rather than always diluting opposing positions on contentious issues. Whilst diluted positions may generally be regarded as ‘safe’, they risk being bland and / or confused, with implications for the Agency’s corporate reputation

¹⁶⁶ Developing Advocacy Strategies. Paper sponsored by the Directors of Corporate Affairs and Water Management. For Directors Policy Steering Group, 10 January 2002

- It allows the decision as to whether to opt for a diluted statement or one of the stronger positions to be made by Directors' Policy Steering group in context of the *whole organisation's* strategic positioning, rather than just that of a few Directorates

In context of the experience on the DTI renewables obligation, my line manager and I suggested the above to the Directors of Water Management and Environmental Protection. However, the two Directors made clear that they did not want the idea taken forward. There may have been several reasons for this, including a desire to maximise their individual influence, but equally a desire to keep the internal policy approval process streamlined. More fundamentally though, the absence of any agreed process for managing fundamental policy disputes and appraising different policy options (as opposed to the practice of deciding on the 'one right' policy option for Directors to agree) seems consistent with an organisational culture that emphasises policy development as a technical rather than political process.

The final area where I devoted substantial effort to agenda setting was terms of promoting *evaluation / measurement of Agency influencing effectiveness*. I felt strongly that "you can't manage what you don't measure" and set about highlighting the need for the Agency to engage in such activity. The approach I took is outlined in section 6.10.

6.10 Measuring Agency policy advocacy effectiveness in comparative perspective

To highlight the need for ongoing evaluation of Agency influencing effectiveness and options for improvement, the policy advocacy design and steering groups agreed that I should engage in some benchmarking activity. As outlined in section 5.3, I therefore sought to provide an assessment of Environment Agency policy advocacy effectiveness – alongside English Nature in comparative perspective – and to thereby identify options to enhance the Agency's contribution to EU and UK public policy development.

Feedback to date on the findings of the study has been generally positive¹⁶⁸, with the Chief Executive using the 'emerging findings' in her first meeting with the new Head of Policy. Significantly, the emerging findings report stimulated discussion between the Parliamentary and Government Relations Unit and the Policy Unit as to future

¹⁶⁷ Email received 28 September 2001

measurement of policy advocacy effectiveness, and the new Head of Policy indicated his commitment to ensuring that resources would be allocated to engagement in such activity. The original, primary objective of the benchmarking activity has thus been achieved¹⁶⁹.

¹⁶⁸ Examples of feedback on report: "There is masses of good stuff in here - I only hope people take the time to extract it and do something" and "An excellent report"

¹⁶⁹ Evident from a series of emails between the Parliamentary & Government Relations Unit and the Policy Unit. For example, email received 9 May 2002

7 Findings

7.1 High level overview

The detailed findings of the waste policy and wider action research are naturally set out with full discussion and interpretation in the sections on activity and assessment of project impact. Thus the section on project activity details my findings as to what helped or hindered the work, and the section on project impact analyses my findings in terms of where I had impact and where I did not. Similarly, the detailed findings of the comparative assessment of English Nature – Agency policy advocacy effectiveness (with full discussion and interpretation) are given in the report at Appendix B1. Moreover, appendix B1 (section 4 in particular) sets out the political context to the development of the Agency's policy role and the drivers of change to the overall governance of policy. The following is therefore simply a high level overview / reflection on the overall findings.

Key features of the waste policy activity which could arguably be extended to any process for generating and embedding in the organisation broad policy advocacy positions relevant to UK and EU policy development are captured by the following points:

- So far as practicable, engage diverse stakeholders and expertise from across the relevant policy community as well from across the Agency, bringing together players offering policy solutions alongside those more focussed on problems, and making sure that the process includes both sufficient allies and 'politically heavyweight' stakeholders
- Seek to develop and make tactical use of *shared frameworks* that unite the Agency's interests with those of other external groups (e.g. resource productivity)
- See influencing policy as a ongoing process, taking on board stakeholder views as appropriate to help build a policy advocacy coalition
- Ensure stakeholders are informed when their views are taken on board, to help the process of building a policy advocacy coalition
- To help organisational learning, commit to evaluation of the effectiveness of the policy advocacy process, including through use of feedback from stakeholders

Whilst such general findings may to some seem like common sense, it is equally striking that the above points constitute a significant shift from much current Agency practice – evident from the sections on stakeholder engagement and organisational culture in the assessment of Agency policy advocacy effectiveness¹⁷⁰ (Appendix B1).

However, the Agency clearly has its strengths as well as its weaknesses in terms of policy advocacy. Key findings from the comparative assessment of English Nature – Agency policy advocacy effectiveness are as follows:

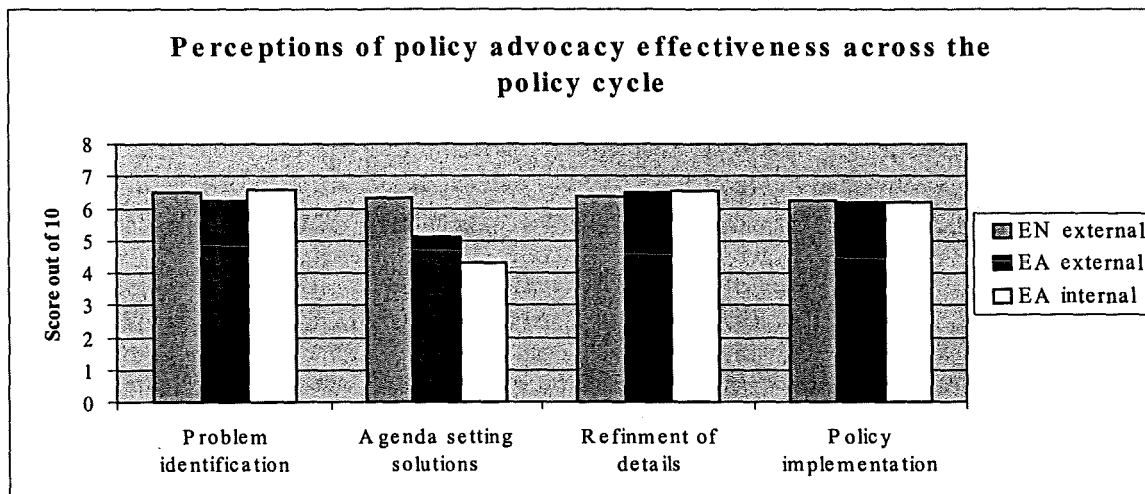
- On agriculture policy advocacy, English Nature is seen as much more effective than the Agency. On waste, the Agency is reasonable and English Nature weak. Both organisations are reasonable on overall environment / SD policy advocacy
- Both the Agency and English Nature are stronger on UK issues than on EU issues, but the Agency is seen as particularly weak at EU level
- The Agency is very strong on technical and operational policy but particularly weak on strategic issues. English Nature is equally effective on both technical and strategic issues, and is much more ‘present’ in strategic policy communities
- The Agency is seen as stronger on water management than on industrial regulation
- The Agency is reasonable at the different stages of the policy cycle, except for the agenda setting solutions stage, where it is particularly weak. English Nature is seen as reasonably effective across the whole policy cycle

In terms of enhancing Agency policy advocacy effectiveness, stakeholders identified that:

- The Agency is over-investing in regional influencing and under-investing in influencing EU issues
- The Agency has insufficient economics and social science expertise to support its policy advocacy
- Opinion is divided on whether Agency culture is supportive of policy advocacy
- More emphasis could be placed on developing robust policy analysis. This could help further embed in the Agency the difference between policy advocacy and general corporate communications

¹⁷⁰ Pages 61-65, 73-76. The Environment Agency’s Contribution to EU and UK policy development. An evaluation of effectiveness and options for improvement. P Douglas, July 2002.

- Developing an Agency policy advocacy culture could be helped by raising the internal profile of the overall corporate position statements and underlining their status, and by committing to regular evaluation of the organisation's policy advocacy effectiveness. Such evaluation could usefully combine regular self assessment of the achievement of policy objectives with periodic stakeholder reputation analysis



As the following comments (from the section of policy advocacy effectiveness report focused on organisational culture¹⁷¹) underline, the current Agency position as regards both agenda setting solutions and policy advocacy more generally can be linked to the organisation's historical focus on operations and implementation as opposed to policy design:

¹⁷¹ Pages 74-76. The Environment Agency's Contribution to EU and UK policy development. An evaluation of effectiveness and options for improvement. P Douglas, July 2002.

Comment	Source
Agency culture is an implementation and operations culture. English Nature is much more of a policy advisor	Political*
Agency operations have taken priority over influencing. The organisational culture seems to lag the official 'policy' at Director level of the Agency becoming more of an influencing organisation	Political*
The Agency is changing on policy – its almost like the offspring that has outgrown the parent	Business
The Agency has been a traditional regulator, so has a poor culture from a policy advocacy perspective	NGO
Lots of people – including some Directors – passionately believe the job of the Agency is to do operations and implement regulations. The 'stick to your knitting' crowd. It's just as well we've now got a CEO that likes meddling around with policy	Agency
The Agency has an operations and implementation focus. Hardly anybody within the Agency thinks policy advocacy is their job. We need to get everybody in the Agency to see their role as relevant to policy advocacy	Agency

* Political includes Government and EC stakeholders

7.2 Validity and reliability of results

There is much evidence demonstrating what helped and hindered the waste policy advocacy work (chapter 6) and the level of impact / effectiveness achieved – not least the feedback from stakeholders as to the value of the process (see report in Appendix B4) and the repositioning of the Agency with the Cabinet Office and DEFRA (discussed in assessment of policy impact – see section 8). However, could the same (or better) results have been achieved through a different (e.g. more streamlined) process? In a paper to Directors I suggested that future processes on waste and other *similarly developed areas* should be more streamlined¹⁷². However, this fails to truly answer the question, because the waste work was conducted when Agency waste policy advocacy was not a developed area. In reality, the precise answer will never be known, because the conditions under which the waste policy work was conducted no longer exist and could not be re-created (unlike, for example, a soil science experiment).

More fundamentally, to what extent are the findings from the waste policy advocacy process transferable to other policy areas? The very general high level findings outlined at the beginning of section 7.1 are clearly open to challenge, as they are primarily based on a relatively small amount of work on just one policy area – waste¹⁷³. More research – across a wide range of different policy areas over substantial periods of time – would be required to add certainty and robustness to these high level findings. This, of course, is precisely the approach followed by academics such as Sabatier in developing theories of the policy process such as the advocacy coalition framework¹⁷⁴.

Equally, though some effort was made to refer to a wide range of relevant documents in the assessment of Agency – English Nature policy advocacy effectiveness study, the robustness of the approach nevertheless rested primarily on the triangulation of Government, Business, NGO and Agency / English Nature *perceptions*. As discussed in section 5.4, further robustness could be added through supplementary research – combining my analysis of stakeholder perceptions with ongoing self assessment, process tracing of specific policy areas, and policy network analysis.

However, at this point, it seems reasonable to highlight the nature of the research as a *work based* project. In particular, the intention of the project was neither to test nor to develop a particular theory of the entire policy process. Rather, the fundamental aim of the project was to consider how Agency policy advocacy effectiveness could be strengthened in context of current practice, and moreover, to engage in efforts to help bring about *some practical organisational change*. Thus notions of “validity and reliability” depend crucially on context (e.g. academic or work based), and the project, being work based, was tailored to meet Agency standards. Chapter 8 sets out to demonstrate that my work was regarded by the Agency as sufficiently valid and reliable to be taken seriously and to effect change.

¹⁷² Lessons learned from June – December 2001 Waste policy advocacy process. Paper to Directors Policy Steering Group. 6 June 2002

¹⁷³ Analysis of the underlying “reasons for influencing effectiveness” in relation to specific examples of Agency and English Nature policy advocacy tended to reinforce (or at least did not undermine) the high level findings as outlined at the beginning of section 7.1 – though this analysis primarily rested on triangulating stakeholder perceptions. See pages 80-101. The Environment Agency’s Contribution to EU and UK policy development. An evaluation of effectiveness and options for improvement. P Douglas, July 2002.

¹⁷⁴ Paul Sabatier, 1988. An Advocacy Coalition Framework of Policy Change and the Role of Policy-Oriented Learning Therein. Policy Sciences 21: 129-168

8 Assessment of Project Impact

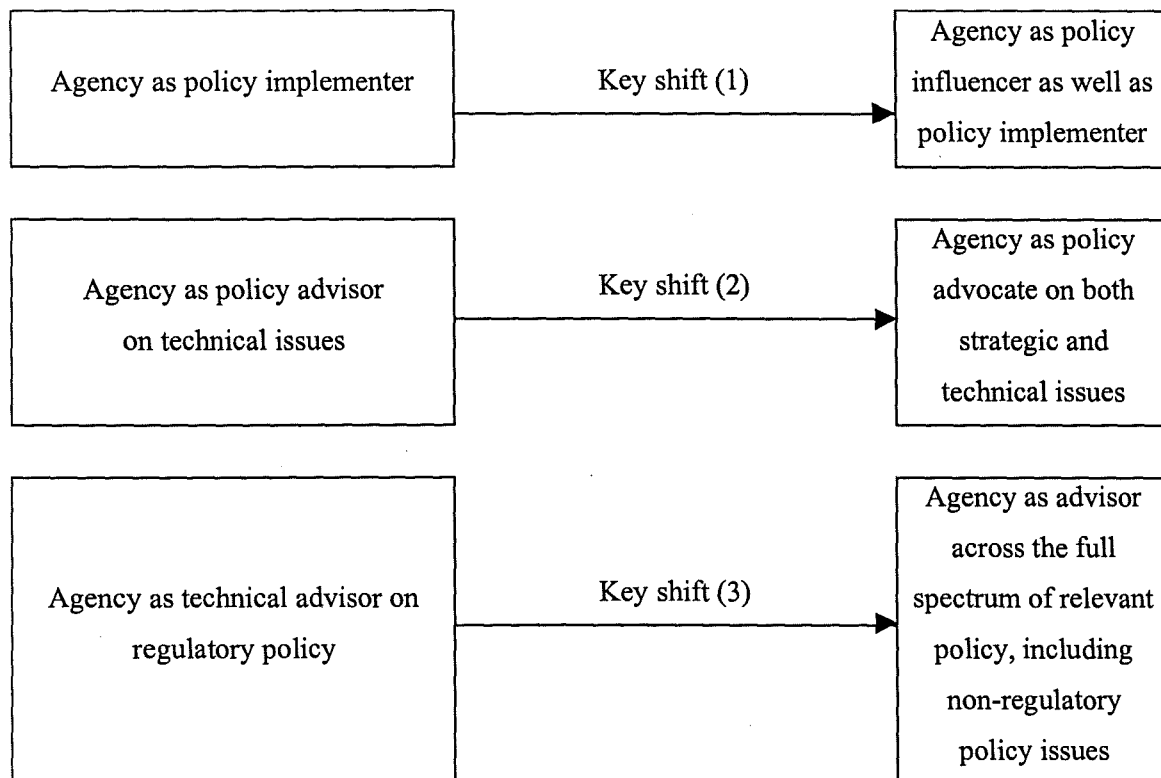
8.1 The challenge of assessing project impact

It is of course difficult to be certain about the extent to which my project has driven and is responsible for the substantial organisational changes that have taken place over the duration of the project in relation to Agency policy advocacy.

This chapter nevertheless attempts to demonstrate where the project impact has been substantial and where it has been limited. Impact is considered in relation to developing overall Agency policy advocacy effectiveness, developing Agency waste policy advocacy effectiveness, and on my personal and professional development.

Whilst substantial work has clearly been undertaken to influence UK Government policy (in particular on waste policy), the project has primarily sought to have impact *on the Agency*, and to *mainstream* policy advocacy as a core Agency role. In section 4.2, I outlined how the “policy advocacy project” was the means by which I would attempt to progress my three personal priorities for improving Agency sustainable development practice. In assessing overall project impact, consideration has therefore also been given to the extent of Agency uptake of these three key shifts (given below as Figure 6), and the extent to which my project can claim responsibility for the change.

Figure 6: Personal priorities to improve the Agency's contribution to sustainable development



In the following sections, three forms of evidence of project impact have been noted: My inclusion in key decision making, feedback from Agency colleagues and external stakeholders, and incorporation of very specific suggestions from myself.

8.2 Impact on developing overall Agency policy advocacy effectiveness

Before considering the specific impact of my project, it is valuable to set out the bigger picture of organisational change as regards the development of the Agency's policy advocacy role. On starting the project on 1 October 2000, there was very limited support within the organisation for Agency engagement in policy advocacy. As a colleague of mine, Dan Archard, recorded in context of promoting sustainable energy:

*"I had spoken to two Directors and the Chief Executive, and they had all dismissed the idea of the Agency developing sustainable energy advocacy positions that challenged government policy"*¹⁷⁵

¹⁷⁵ Developing A Sustainable Energy Vision for the Environment Agency. Daniel Archard, Doctorate in Professional Studies, 22 August 2001

Since October 2000, substantial organisational change has taken place. In July 2001, the organisation established a Directors Policy Steering Group whose terms of reference include signing off policy advocacy positions and agreeing policy priorities.¹⁷⁶ In addition, the Chief Executive brought “policy centre stage” in the organisation by splitting up the Environmental Strategy Directorate and creating a Policy Unit in the Water Management Directorate¹⁷⁷.

In August 2001, DEFRA published their Stage 1 report of the Financial, Management, and Policy Review (FMPR) of the Environment Agency. All Non-Departmental Public Bodies (NDPBs) are subject to an FMPR every 5 years – and all FMPRs begin with the same fundamental question: Should this organisation continue to exist? In part due to the active Agency influencing of the FMPR, the FMPR Stage 1 report concluded that, in context of the Government’s commitment to sustainable development:

*“The Agency should discharge its functions to protect or enhance the environment, and be an advisor... In the debate about sustainable development, the Agency has an important and independent role to be an advocate of the environment”*¹⁷⁸

Accordingly, in January 2002, DEFRA issued a public consultation on the Agency’s statutory sustainable development guidance, suggesting that the Agency should be:

*“an independent advisor on environmental matters affecting policy-making, both within Government and more widely”*¹⁷⁹

Thus the Agency’s policy advocacy role is being given a legal basis. From an internal perspective, the Sustainable Development Unit has been mainstreamed into a Policy Unit, and several people been relocated from elsewhere within the Agency, which has strengthened the capacity of the Unit on social and economic issues. Equally, the organisation has now recruited two policy advocates (one for waste policy, the other for

¹⁷⁶ The first Directors Policy Steering Group meeting, which agreed the Terms of Reference, was on 30 July 2001

¹⁷⁷ Centre Stage for Science and Policy at the Agency. Barbara Young, Chief Executive, 5 October 2001

¹⁷⁸ Page 77-78. Environment Agency Financial Management and Policy Review, Department of Environment, Food and Rural Affairs (DEFRA) Stage 1 report, August 2001

¹⁷⁹ Page 15. The Environment Agency’s Objectives and Contribution to Sustainable Development: Statutory Guidance. Consultation Document. DEFRA, January 2002

agriculture policy) and the Corporate Affairs Directorate has refocused itself around the organisation's policy priorities.

The question, of course, is whether the policy advocacy project has been one of the key drivers of this process of change. At one level, it could be argued that the new Chief Executive has championed the development of the Agency's policy advocacy role, and that other processes – such as the policy advocacy project – have played a very minor role. However, whilst the leadership of the Chief Executive has clearly been critical, I would suggest the process of organisational change has been more multi-faceted. For example, the initial work of the policy advocacy project (prior to the new Chief Executive taking up her responsibilities) in creating a coalition between the Environmental Strategy and Corporate Affairs Directorates was important in signalling some support from below for substantial organisational change.

More fundamentally, whilst there was a widespread feeling that the Agency needed to improve its policy effectiveness prior to the policy advocacy project, there was equally a widespread feeling that the policy positions already existed. Proponents of this latter position would point to the State of the Environment reports and to regulatory policy statements (even though such documents focus on describing problems and policy implementation rather than policy solutions and policy design).

The policy advocacy project was thus key in arguing the case for developing specific policy advocacy position statements focussed on policy solutions. Moreover, the project led the way in terms of producing such position statements (on climate change and waste), the terms of reference for position statements, and the development of policy advocacy plans / strategies (to promote the position statements). Since the production of the policy advocacy position statements, there has been ample evidence of their usefulness in enabling a more consistent stream of key messages¹⁸⁰.

¹⁸⁰ For example, a consistent stream of key messages on waste policy was possible between the DEFRA November 2001 Waste Summit, a subsequent Green Alliance seminar, and the 10 December 2001 Agency waste stakeholder forum. Similarly, the speech by the CEO to Conservative Party Conference Tory Green Initiative (8 October 2001) took key messages from the climate change position statement

The waste policy advocacy work also had an important positive impact on stakeholders' overall regard for Agency engagement in policy advocacy¹⁸¹, and in thereby demonstrating to the Agency the value of stakeholder engagement¹⁸². For example, in relation to the Government consultation "DEFRA – A New Department, A New Agenda. Aim and Objectives – Have your say", it led Peter Jones, Director of Biffa Waste Services Ltd, to comment:

*"On the plus side the Agency is probably more trusted by the public and NGOs than Government or industry and it is not unnatural that the Agency should seek to prepare position statements on key elements of the waste strategy... This is fine but where does this regulatory role fit in the context of the new DEFRA?"*¹⁸³

Equally, a subtler but nevertheless still significant impact of the project has been in terms of encouraging the integration of non-regulatory policy instruments and measures (such as economic instruments and social policy) into the policy advocacy positions. It is notable that the waste policy position statement (produced by the policy advocacy project) identifies a range of desired policy instruments whereas other policy positions (such as on agriculture) are more focussed on a combination of regulation and industry self-regulation.

Overall, Dan Archard has also recorded that the policy advocacy project has had a substantial impact, in context of his pioneering work promoting a shared 'vision of sustainable energy':

*"The Sustainable Development Unit's policy advocacy project has, and is, also playing a key role in taking forward the Agency's entry into sustainability policy advocacy. It is quite fascinating to note how the Directors that I spoke to just a year and a half ago at the beginning of 2000 have now changed their minds and are supportive of the Agency's developing opinions on issues well beyond its specific remit"*¹⁸⁴

¹⁸¹ The waste policy advocacy process significantly enhanced policy credibility on strategic waste issues with key stakeholders – 50% of stakeholder feedback described the process as 'very good', with the remaining 50% calling it 'good'

¹⁸² Value of stakeholder engagement demonstrated in: "Lessons learned from June – December 2001 Waste policy advocacy process". Paper to Directors Policy Steering Group. 6 June 2002

¹⁸³ Page 3, Biffa Waste Services Ltd response to: "DEFRA – A New Department, A New Agenda. Aim and Objectives – Have your say". Peter Jones, Director – Development and External Relations, Biffa

¹⁸⁴ Page 38, Developing A Sustainable Energy Vision for the Environment Agency. Daniel Archard, Doctorate in Professional Studies, 22 August 2001

However, as Crenson (1971) argues: “In political science it is just as important to explain why certain issues fail to make the political agenda for debate and decision making – the ‘unpolitics’ of policy-making – as it is to account for what actually emerges from the policy process in the form of laws and policies”¹⁸⁵. The following points are therefore highlighted:

- A shared understanding of the term “policy advocacy” still needs to be developed across the Agency. Many still equate policy advocacy with public relations on Agency operations (i.e. influencing people that ‘under the circumstances, we’re good at our operational job’). For some, it simply refers to the process of negotiation over options for policy implementation (e.g. implementation of IPPC or agri-waste regulations) – whilst for others “policy advocacy” also includes (and indeed is primarily about) influencing *policy design* and *policy framing*
- There remains no clear process for settling fundamental disagreements over internal policy for advocacy (such as over the role of energy from waste incineration in the DTI renewables obligation)
- Policy position statements remain buried on the Agency website, with many Agency staff at local and regional level unaware of their existence¹⁸⁶

Whilst these findings may have much to do with the way in which the drive for Agency policy advocacy has been largely led by Head Office, there are also some more fundamental issues to be addressed. In particular, the poor communication of the position statements internally possibly betrays a lingering degree of nervousness about the Agency’s policy advocacy role – but certainly reveals an emphasis on influencing UK Government officials and Ministers directly rather than adopting a more multi-pronged approach. This, and the lack of a ‘policy disputes resolution process’ is consistent with the tendency of the Agency to view policy development as a technical means of ‘getting the scientifically right answer’ rather than as a political process requiring judgement.

Overall, however, the project has arguably had substantial impact. Nevertheless, to more precisely assess the role of *my project* in the creation, development, and mainstreaming of the Agency’s policy advocacy role, it necessary to examine – as is

¹⁸⁵ The Un-politics of Air Pollution, M A Crenson, 1971

¹⁸⁶ Evident in emails received dated 22 October 2001, 30 November 2001

done below – the specific impact of the activities undertaken under the umbrella of the project.

“Product” (Item of work) (when completed)	Personal contribution, level of impact	Evidence of impact (Key actions which helped / hindered impact)
<i>Developing Agency policy advocacy in general – specific documents</i>		
Paper for Directors on “what is asked of the Agency and how it is joined up” (October 2000)	Lead High impact achieved	Recognition of the need for integration of diverse policy areas, and thereby of the need for Agency policy advice to assist in such joining up. Paper adopted by Directors as key part of overall Agency influencing plan for DEFRA FMPR review of the Agency
Paper for Chairman on potential high profile campaigns (January 2001)	Lead Significant impact achieved	Consolidated Chairman’s support for policy advocacy
Paper requested by Directors on the development of Agency policy for external advocacy on cross cutting issues (February 2001)	Lead Significant impact achieved	Helped consolidate Policy Directors’ interest in policy advocacy
Paper for Directors on policy priorities (June 2001)	Supporting role (Led by Richard Howell, SD Policy Manager and Head of SD) High impact achieved	Established priority issues for Agency policy advocacy, and consolidated mainstreaming of policy advocacy role. My papers summarising policy advocacy design and steering group discussion largely determined policy priorities recommended to (and adopted by) Directors

"Product" (Item of work) (when completed)	Personal contribution, level of impact	Evidence of impact (Key actions which helped / hindered impact)
<i>Developing Agency policy advocacy in general – specific documents</i>		
Paper to Directors Policy Steering Group outlining potential structure and overall approach to developing policy position statements (July 2001)	Lead High impact achieved	Paper adopted as Terms of Reference for policy position statements by Directors' Policy Steering Group, leading to the incorporation of sections within each policy position outlining "The Agency's role". (Two 1:1 meetings with Director of Corporate Affairs helped achieve the impact)
Short ("quick and dirty") comparative study, identifying options for building Agency policy advocacy capacity (October 2001)	Lead (managed Helen Chalmers, co-author) Significant impact achieved	Described as very helpful by Policy Director leading on immediate organisational change in relation to strategic policy advocacy
Paper to Directors Policy Steering Group on lessons learned from the waste policy advocacy work (June 2002)	Lead High impact	Value of stakeholder engagement noted by Directors, alongside suggestion for more streamlined engagement processes for more developed policy areas. (Securing buy in of Heads of Function from across three directorates was key to having impact)
Input to Agency study on modernising consultation. Suggested that Agency could make local public engagement more policy focussed (July 2002)	Supporting role (study by consultant) Unknown impact	My linking of Agency operational and policy interests described as 'very helpful' (Richard Howell, Sustainable Development Policy Manager, recommended consultant talk with me given relevant experience)

“Product” (Item of work) (when completed)	Personal contribution, level of impact	Evidence of impact (Key actions which helped / hindered impact)
<i>Developing Agency policy advocacy in general – specific documents</i>		
Report providing an assessment of Environment Agency policy advocacy effectiveness – alongside English Nature in comparative perspective – and thereby identifying options to enhance the Agency’s contribution to EU and UK public policy development. (July 2002)	Lead Significant impact achieved	Emerging findings report used by Chief Executive in her first meeting with the new Agency Head of Policy. Feedback on final report has also been very positive – “There is masses of good stuff in here” and “An excellent report. Presentation of the study given at policy advocacy workshop on 12 September 2002 involving the Chief Executive, Director of Corporate Affairs, and about 30 people from across Head Office and the regions (1:1 interviews with people helped to build interest in report findings)

“Product” (Item of work) (when completed)	Personal contribution, level of impact	Evidence of impact (Key actions which helped / hindered impact)
<i>Taking forward Agency policy advocacy in general – developing networks and supporting other processes</i>		
Establishing and maintaining policy advocacy design and steering groups, with Board, Director level and regional input – to assist in mainstreaming policy advocacy in the Agency, and to enable ongoing reflection and iteration as part of the action research cycle (Ongoing)	Lead High impact achieved	Substantial mainstreaming of policy advocacy across the organisation – Directors Policy Steering Group established, with formal responsibility for policy advocacy included within Terms of Reference. Policy advice role recognised within fundamental FMPR review by DEFRA of Agency’s statutory objectives and section 4 guidance (Support / leadership of my line manager key to developing groups. Leadership by Chief Executive key to subsequent change)

"Product" (Item of work) (when completed)	Personal contribution, level of impact	Evidence of impact (Key actions which helped / hindered impact)
<i>Taking forward Agency policy advocacy in general – developing networks and supporting other processes</i>		
Ongoing input to Agency development of social policy framework – integrating policy advocacy into the framework (Ongoing)	Supporting role (Social Policy Manager leads) High impact achieved	Policy advocacy integrated as a key component of the Agency's emerging social policy framework (e.g. January 2002 Paper to Directors on Social Deprivation and the Environment) (Representation on social policy design group key to having impact)
Ongoing input to Agency refocusing on climate change and energy, ensuring integration of policy advocacy (Ongoing)	Supporting role (Led by Head of SD and Dan Archard, Policy Officer) Significant impact achieved	Policy advocacy identified as core to Environmental Strategy Directorate and wider Agency refocusing on climate change and energy. Specific contexts (such as Agency response to RCEP Energy – The Changing Climate report, and the development of an Agency Sustainable Energy Vision) recognised as opportunities for policy advocacy. My input recognised as helpful / useful.
Embedding policy advocacy, properly resourced, in the Agency. Meeting with EP Director (May 2001) and ongoing dialogue	Supporting role (led by Directors) Significant impact achieved	Director of Environmental Protection – previously critical of the Agency engaging in advocacy – now in favour ¹⁸⁷ (Support / leadership of Chief Executive key in having impact)

¹⁸⁷ Evident by contrasting notes from meetings between the Environmental Protection Director and myself and Dan Archard, also Policy Development Officer.

“Product” (Item of work) (when completed)	Personal contribution, level of impact	Evidence of impact (Key actions which helped / hindered impact)
<i>Taking forward Agency policy advocacy in general – developing networks and supporting other processes</i>		
Promotion of “policy disputes resolution process” on areas where there are fundamental internal disagreements on policy for advocacy (October 2001)	Lead Limited impact achieved	Limited impact. There remains no clear process for settling fundamental disagreements over internal policy for advocacy (such as over the role of energy from waste incineration in the DTI renewables obligation). Suggestions for change to certain Directors not taken forward. (Due to: I) My use of email rather than more personal communication, II) Tendency of organisation to view policy development as a technical means of ‘getting the scientifically right answer’ rather than as a political process requiring judgement)

“Product” (Item of work) (when completed)	Personal contribution, level of impact	Evidence of impact (Key actions which helped / hindered impact)
<i>Taking forward Agency policy advocacy in general – developing networks and supporting other processes</i>		
Helping to refocus Agency advocacy work away from “PR on operations” and more towards policy advocacy (November 2001)	Lead (Involved other SD Unit members) Limited impact achieved	Met with new Director of Corporate Affairs on her first day (with colleague), emphasising need for greater emphasis on policy advocacy in general and waste policy advocacy in particular – both subsequently incorporated into her personal objectives. Overall, however, many in the Agency still equate policy advocacy with public relations on Agency operations. Public attitudes to waste survey led by Corporate Affairs aligned closely with Agency waste policy advocacy (in particular with position on variable charging of household rubbish) rather than just focusing on very general public attitudes. (Head of Parliamentary and Government Relations promoting my involvement plus my inclusion of other SD Unit team members helped achieve the specific impact on the waste front)

"Product" (Item of work) (when completed)	Personal contribution, level of impact	Evidence of impact (Key actions which helped / hindered impact)
<i>Taking forward Agency policy advocacy in general – developing networks and supporting other processes</i>		
Promoting need to raise internal awareness of Agency policy position statements, particularly at local and regional level (November 2001) and ongoing dialogue	Supporting role (led by Corporate Affairs) Limited impact achieved	Limited impact. Policy position statements remain buried on Agency website, with many Agency staff at local and regional level unaware of their existence ¹⁸⁸ . (My suggestions for raising the internal profile of the positions have not been acted upon, perhaps due to: I) My using email rather than more personal communication, II) some remaining nervousness and uncertainty about the policy position statements)
Input to process for reviewing / developing draft policy advocacy plans (documents setting out intended approach to influencing) on all priority policy issues (December 2001)	Supporting role (Led by Heads of SD and Parliamentary and Government Relations) High impact achieved	Paper to Directors produced suggesting the Agency establish task forces for its priority policy issues to agree advocacy plans – and that the waste policy advocacy plan be used as a pilot. My input (to generic discussion and in developing waste plan) recognised as helpful. Draft waste plan adopted by Chief Executive as offering the right generic framework for policy advocacy plans on all issues. (Impact achieved by: I) Line manager promoting my work, II) my organisation of cross-directorate waste workshop to help develop the waste policy advocacy plan)
Interviews with stakeholders on enhancing Agency contribution to policy development (February – April 2002)	Lead Significant impact achieved	Helped to consolidate Agency interest in developing its policy influencing

¹⁸⁸ Evident in emails received dated 22 October 2001, 30 November 2001

8.3 Impact on developing Agency waste policy advocacy effectiveness

Key outputs of the waste policy advocacy component of the project included the Agency's overall corporate waste position statement and the 10 Point Plan, presented at the November 2001 DEFRA Waste Summit. A report was also produced identifying the degree of stakeholder support for different policy options, which has been used to inform Agency waste policy advocacy.

Moreover, the process enabled a substantial repositioning with DEFRA at the November 2001 Government Waste Summit as, for the first time, the Agency had robust and substantial overall opinions on taking forward Waste Strategy 2000. The summit represented a milestone in positioning the Agency as the Government's environmental advisors and in challenging Government (rather than just being challenged by Government in the face of failing regulations). The Agency Chairman was invited to join Secretary of State Margaret Beckett MP, alongside Vic Cocker (WRAP), Kay Twitchen (Local Government Association), and Julie Hill (Green Alliance) on the 'top table' for a press briefing.

Equally, the waste policy advocacy process enabled an effective relationship to be established with Cabinet Office PIU. I was able to twice input to the waste case study of the PIU resource productivity project, which PIU described as "very helpful" and my line manager (Chris Newton, Head of Sustainable Development) commented:

*"I am happy with your comments. I imagine the PIU will also be pleased to receive such a constructive and helpful input. You ought to log it within your advocacy project as the type of input we should be making. I particularly like the way you offer alternative text and the way in which you reference your arguments to back them up. All very powerful stuff"*¹⁸⁹

More fundamentally, the process played a significant role in helping build up the broad base of stakeholder pressure which led to the Government decision for a Cabinet Office review of its waste strategy. Significantly, the waste policy advocacy process had involved Cabinet Office PIU from the start and the final workshop of the series, addressed by Sir John Harman, included Cabinet Office PIU representatives leading the

review of Waste Strategy 2000. Moreover, whilst in April 2001 the PIU draft waste study document did not include the Agency in their list of stakeholders¹⁹⁰, by December 2001 the Agency had secured representation on the Cabinet Office PIU Waste Project Advisory Group¹⁹¹. In addition, in context of Cabinet Office PIU review of waste policy¹⁹², the Agency received very positive and timely coverage in ENDS magazine (given at Appendix B4).

Overall, the waste policy advocacy process delivered significantly enhanced policy credibility on strategic waste issues with key stakeholders – 50% of stakeholder feedback described the process as ‘very good’, with the remaining 50% calling it ‘good’. In addition, the fundamental Agency shift in committing to a policy advocacy position was not lost on stakeholders – as Dr Dominic Hogg of Eunomia Research and Consulting subsequently commented via email:

*“It really does look like it could be a different country to the one I left in October. You should be really very proud of what you have achieved. It's as if the inertial Colossus of waste policy has gone on a crash diet and is starting to train for the 800 metres. Well done, well done and well done”*¹⁹³

However, the waste policy advocacy component of the project has had limited impact in two important (and linked) areas. Firstly, the waste policy process had limited success at embedding corporate waste policy advocacy messages in the Agency regions. This was principally because a few Head Office waste regulation staff remained hostile to the idea of Agency policy advocacy and refused to promote the corporately agreed position statement.

Secondly, I had only limited impact in promoting the need for existing regional waste policy activity to become more ambitious (though some progress has been made in Anglian region). It was clear that the new Head Office led policy advocacy represented

¹⁸⁹ Email received 13 August 2001

¹⁹⁰ Cabinet Office PIU draft waste case study scoping note, as at 25 April 2001.

¹⁹¹ Paul Leinster, Agency Director of Environmental Protection, is represented on the Cabinet Office PIU Waste Project Advisory Group

¹⁹² Pages 16-17, ENDS Report 322, November 2001

¹⁹³ Email received 3 December 2001. Dr Dominic Hogg (Director, Eunomia Research & Consulting) is internationally known for his contribution to zero waste thinking and has been special advisor to the House of Commons Select Committee Inquiry on Delivering Sustainable Waste Management, Cabinet Office PIU and DG Environment

a substantial change to the waste function's activities and approach, and that it would therefore take more time for long established regional activity to change in light of new policy advocacy.

Overall though, the project has arguably had substantial impact. Nevertheless, the following is a more precise assessment of the specific impact of the waste policy advocacy activities undertaken under the umbrella of the project.

"Product" (Item of work) (when completed)	Personal contribution, level of impact	Evidence of impact (Key actions which helped / hindered impact)
<i>Developing Agency waste policy advocacy – specific documents</i>		
Paper to stimulate discussion with waste function on policy advocacy on strategic waste issues (January 2001)	Lead Limited impact achieved	Discussion document highlighted with waste function in context of Chief Executive's need for comment on Government's failing Quality of Life waste indicator. Document not taken forward – though did help achieve recognition with the waste function of need for a proper process to deliver coherent Agency policy position. (limited impact due to my not understanding the extent to which the waste function was focused on operations and that fundamental differences in perspective would mean a process was needed to develop a shared position)
Papers identifying policy options for themes agreed in Agency stakeholder workshops (August 2001)	Lead Significant impact achieved	Constructive workshop discussion of papers with key stakeholders from within Agency and across Government (including Cabinet Office PIU), Business, and NGOs.

"Product" (Item of work) (when completed)	Personal contribution, level of impact	Evidence of impact (Key actions which helped / hindered impact)
<i>Developing Agency waste policy advocacy – specific documents</i>		
Development of overall Agency position statement on sustainable waste management (September 2001)	Lead High impact achieved	Position statement agreed by Directors Policy Steering Group as corporate document. Feedback from regional staff also positive. External stakeholder feedback very positive – for example: "You should be very proud of what you have achieved". Internally, policy position subsequently used to produce an Environment Agency magazine; Head of Parliamentary & Government Relations identified me as a key player (Impact helped by effective cross- directorate working and input of external stakeholders)
Input to paper for HMT on economic instruments for 2001/2, majoring on waste, in context of Pre Budget Report (September 2001)	Supporting role (led by Chief Economist) Significant impact achieved	Internally, consolidated Agency position on waste economic instruments. Externally, helpfully laid the ground for subsequent meeting with HMT. My input recognised as helpful; invited to HMT meeting.

"Product" (Item of work) (when completed)	Personal contribution, level of impact	Evidence of impact (Key actions which helped / hindered impact)
<i>Developing Agency waste policy advocacy – specific documents (continued)</i>		
Consultation response to DTI Renewables Obligation (October 2001)	Lead (with Dan Archard) Significant impact achieved	Delivered more internal coherency and consistency on energy from waste and renewables policy
Brief for Chief Executive for meeting on resource productivity with DTI Secretary of State Patricia Hewitt MP (October 2001)	Lead Significant impact achieved	Feedback indicated that the style and content of the briefing were helpful.
Agency input to DEFRA November 2001 Waste Summit (November 2001)	Leading (with Heads of Sustainable Development, Waste, and Parliamentary and Government Relations) High impact achieved	Produced core material from which Chairman's letter to Secretary of State Margeret Beckett MP and Agency 10 Point Plan was developed. My input recognised as critical. Helped achieve major Government decision for review of waste policy by Cabinet Office PIU. Milestone in positioning the Agency as the Government's environmental advisors and in challenging Government (rather than just being challenged by Government in the face of failing regulations). Agency Chairman was invited to join Secretary of State Margaret Beckett MP, alongside Vic Cocker (WRAP), Kay Twitchen (Local Government Association), and Julie Hill (Green Alliance) on the 'top table' for a press briefing (Impact of Agency Chairman enhanced by having a robust policy position to contribute)

"Product" (Item of work) (when completed)	Personal contribution, level of impact	Evidence of impact (Key actions which helped / hindered impact)
<i>Developing Agency waste policy advocacy – specific documents (continued)</i>		
Produced speech, delivered by Chairman, to Agency stakeholder waste forum (November 2001)	Lead High impact achieved	Speech delivered to key stakeholders from across Government, business, and NGOs. Included Cabinet Office PIU people beginning their review of Government policy. Chairman and Chief Executive described the speech as 'excellent, 10 out of 10', and feedback from line manager and Head of Parliamentary & Government Relations very positive (Impact achieved by framing Agency interests in terms of stakeholders' desired outcomes, and by thorough knowledge of previous Agency positioning)
Analysis of stakeholder waste policy recommendations report, identifying areas of stakeholder agreement and disagreement. (December 2001)	Lead (managed Helen Chalmers, co-author) High impact achieved	The report, which included a foreword by the Agency's Chairman, was circulated to key stakeholders from across Government, Business, and NGOs (including Cabinet Office PIU beginning their review of Government waste policy). Internally, Head of Waste commented: "A fair representation and analysis of stakeholder policy positions - Well done" (Impact achieved through effective joint working with Helen Chalmers, co-author)

"Product" (Item of work) (when completed)	Personal contribution, level of impact	Evidence of impact (Key actions which helped / hindered impact)
<i>Developing Agency waste policy advocacy – specific documents (continued)</i>		
Analysis of stakeholder feedback report, identifying views on the waste policy stakeholder engagement process conducted (January 2002)	Lead (managed Helen Chalmers, co-author) High impact achieved	Positive response by Agency Head of Waste. Agreed with conclusion to repeat a more streamlined process about every 2 years. (Impact due to the waste policy advocacy process significantly enhancing Agency policy credibility on strategic waste issues with key stakeholders – 50% of stakeholder feedback described the process as 'very good', with the remaining 50% calling it 'good')
Production of a draft policy advocacy plan for waste, identifying options for influencing policy (January 2002)	Lead High impact achieved	Draft plan adopted for discussion by high level Agency waste task force, and moreover also with Chief Executive as offering the right generic framework for policy advocacy plans on all issues. (Impact achieved by: I) Line manager promoting my work, II) my organisation of cross-directorate waste workshop to help develop the waste policy advocacy plan)

"Product" (Item of work) (when completed)	Personal contribution, level of impact	Evidence of impact (Key actions which helped / hindered impact)
<i>Taking forward Agency waste policy advocacy – developing networks and supporting other processes</i>		
Agency input to Cabinet Office PIU resource productivity waste case study (April – August 2001)	Lead Significant impact achieved	Part of Cabinet Office PIU team that interviewed Lewisham and Dudley Councils for their waste case study. My comments on their 1 st and 2 nd draft versions of the waste case study were described as "very helpful" in terms of assisting Cabinet Office make the strategic case for change. Final PIU report included very specific note on links between climate change and waste that I submitted. Internal feedback on input to PIU also very positive: "I imagine PIU will be pleased to receive such a constructive and helpful input"
Using June – December 2001 stakeholder engagement on waste policy to develop the Agency's relationship with Cabinet Office PIU. (April – December 2001)	Lead High impact achieved	The June – December 2001 stakeholder engagement on waste policy was key to delivering the Agency's Director level representation on the Cabinet Office PIU Waste Project Advisory Group. In April 2001, the PIU draft waste study document did not even include the Agency in their list of stakeholders. ¹⁹⁴ Internally, asked by Head of Waste and Director of Environmental Protection to consider implications of PIU resource productivity study for the Agency

¹⁹⁴ Cabinet Office PIU draft waste case study scoping note, as at 25 April 2001.

"Product" (Item of work) (when completed)	Personal contribution, level of impact	Evidence of impact (Key actions which helped / hindered impact)
<i>Taking forward Agency waste policy advocacy – developing networks and supporting other processes</i>		
Ensuring effective communication with the media over new Agency positioning on waste (e.g. corporate position statement and 10 Point Plan) (November – December 2001)	Supporting role (led by Head of Media) High impact achieved	In advance of DEFRA November Waste Summit, I worked with key external stakeholders to flag up new Agency positioning on waste, resulting in significant positive coverage in ENDS magazine. For December 10 forum, I produced a briefing tailored to Press Office needs from which Press Releases were developed.
Positioning the Agency effectively in response to National Audit Office study on Agency implementation of waste regulations (January 2002)	Supporting role (led by Director of Corporate Affairs) Significant impact achieved	Offered framework for discussion that was used by Director of Corporate Affairs, and inputted on specific items (e.g. developing links with other EU regulators). My input described as helpful by CAD Director. Consulted at pre-draft stage. (Impact helped by recommendation from Head of Waste – i.e. reputation)
Contribution to Agency waste policy analysis (February 2002)	Supporting role (led by Chief Economist and Corporate Affairs) High impact achieved	Policy analysis work considered in further depth the policy instruments identified in the waste policy position statement and Waste Summit 10 Point Plan (namely, landfill tax reform and variable charging). Consulted at draft stage on variable charging issues. (Impact achieved because waste policy activity could genuinely be described as agenda setting – i.e. determining the agenda for subsequent work)

"Product" (Item of work) (when completed)	Personal contribution, level of impact	Evidence of impact (Key actions which helped / hindered impact)
<i>Taking forward Agency waste policy advocacy – developing networks and supporting other processes</i>		
Promoting need for existing regional waste policy activity to become more ambitious, in light of new Head Office led policy advocacy (Ongoing)	Supporting role (led by Head of Waste) Limited impact achieved	Relevant issues discussed, but limited action has resulted. Nationally, the Agency argued at the DEFRA Waste Summit for a vision of zero waste. Arguably, there exists some scope for regional waste policy activity to take a more ambitious approach, engaging relevant stakeholders to help improve waste practice on the ground rather than simply producing data. Some progress has been made in Anglian region, due to focused engagement with relevant regional practitioners. (limited impact due to relatively limited engagement with regional waste staff)
Embedding waste policy advocacy activity in Agency Head Office (Ongoing)	Supporting role (led by Head of Waste) Significant impact achieved	Head of Waste agreed to recruit new person on permanent basis to act as Agency waste policy advocate, taking forward my work. In addition, policy position statement has stimulated desire for moving forward policy advocacy on waste regulation and integrating this into the policy advocacy position statement. On the other hand, some waste staff remain resistant to policy advocacy (impact as to 'waste policy advocate' due to ongoing business need)

“Product” (Item of work) (when completed)	Personal contribution, level of impact	Evidence of impact (Key actions which helped / hindered impact)
<i>Taking forward Agency waste policy advocacy – developing networks and supporting other processes (continued)</i>		
Embedding waste policy advocacy activity in Agency Regions (Ongoing)	Supporting role (led by Head of Waste) Limited impact achieved	Limited impact in regions, as some Head Office waste regulation staff refused to sign up to the corporately agreed position statement. Head of Waste has communicated waste policy advocacy position to regional waste contacts. Good links with Anglian region (involved in waste policy advocacy work). Invited to Thames region waste workshop and improved links. (limited impact due to relative lack of regional Agency involvement in waste policy advocacy process, plus some very traditional attitudes as to Agency’s role)

8.4 Impact on personal and professional development

The challenge of co-ordinating the Agency policy advocacy project over the past two years has had a substantial impact on my personal and professional development – in terms of both technical and interpersonal skills.

On the technical front, I feel I have considerably advanced my understanding of several specific policy areas (such as waste and resource productivity, sustainable development, the science / policy interface, and social amplification of risk). In terms of waste, I have, for example, learnt about the waste hierarchy, incineration standards, fiscal instruments, institutional fragmentation, risk based regulation, and technical and political interpretations of ‘BPEO’ (Best Practicable Environmental Option).

Equally, my understanding and recognition of the complexity of the policy process has developed substantially. I now have a basic understanding of several theoretical

frameworks and moreover, from my work, a recognition of the significance of policy framing, multi-level governance, advocacy coalitions, and expertise to making an influential contribution to policy development. My ability to write different types of document (e.g. speeches, complex reports, short briefing papers etc) has certainly improved with experience.

Equally, the process of interacting with Agency colleagues right across the management hierarchy (including at Board and Director level) and senior stakeholders in the policy community has progressed my interpersonal skills. My confidence in taking on board different views to reach an agreed position and, moreover, in managing processes to develop such positions, has, through the experience of the project, grown considerably. As the nature of cross-cutting policy development involves operating across management hierarchies, the challenge of influencing without authority has been a recurring theme.

Specific lessons I have learnt in terms of professional development include:

- To think about the *process* in which documents are developed, rather than viewing documents as an end in themselves. For example, I realised that producing a waste discussion paper was of limited use when what was really needed was a process for developing a *shared* position on the subject
- The need to manage conflicting expectations on the project. For example, one stakeholder suggested the project developed all the Agency's policy positions, and I knew this was not feasible
- To appreciate and consider the complexity of multi-level governance and joining up policy agendas, whilst also being able to prioritise with respect to the task in hand. For example, the project focussed primarily on influencing UK and EU level policy, given the emphasis on improving Agency effectiveness on influencing policy design rather than policy implementation
- The practical need for advocacy strategies and policy positions to develop in parallel, each responding to the other – rather than one linearly and simply following the other
- The need to manage the tension between technical accuracy and readability / accessibility

I have enjoyed the experience of being both participant and observer in the process of organisational change. Equally, the opportunity to reflect on the past two years as to what has helped / hindered and to consider where the project impact has been substantial and where it has been limited has been valuable. I feel sure there will be many opportunities in my future career to apply the lessons learned from this work.

9 Conclusions

9.1 Contributing to a process of change

My overall project aim has been to strengthen Agency policy advocacy effectiveness, through work focused on building overall Agency policy advocacy capacity and through learning from specific engagement in waste policy advocacy. Overall, I am highly satisfied with the progress I have made towards this aim. Over the two years of my project there has been substantial organisational change – change which I have contributed to, and which has further developed and to a substantial extent mainstreamed the Agency's policy advocacy role. Whereas there was significant resistance to Agency policy advocacy early on in the project, there is now widespread agreement on at least the fundamental basis for such activity – that of the need to shift from a focus on delivering compliance to one of delivering environmental outcomes.

I have demonstrated that in executing my activities my project has had a significant impact on the organisation, in two key ways. Firstly, the specific waste policy advocacy activity demonstrated some of the potential of the Agency as policy influencer – as an organisation which can bring key stakeholders in the policy community together, generate high level thinking grounded in real world experience, and promote policy action. Moreover, as a result of the waste policy advocacy process, the Agency was able to use the Government's November 2001 Waste Summit to reposition itself with both DEFRA and the Cabinet Office.

Secondly, the general policy advocacy activity played a key role in building initial support for the Agency's policy advocacy role, agreeing policy priorities, and in shaping the style and purpose of the policy advocacy plans and policy advocacy position statements (for example, stressing the value of offering challenging policy solutions).

The waste policy activity was valuable in demonstrating the value of the following key features – features which could arguably be extended to any process for generating and embedding in the organisation broad policy advocacy positions relevant to UK and EU policy development are captured by the following points:

- So far as practicable, engage diverse stakeholders and expertise from across the relevant policy community as well from across the Agency, bringing together

players offering policy solutions alongside those more focussed on problems, and making sure that the process includes both sufficient allies and 'politically heavyweight' stakeholders

- Seek to develop and make tactical use of *shared frameworks* that unite the Agency's interests with those of other external groups (e.g. resource productivity)
- See influencing policy as a ongoing process, taking on board stakeholder views as appropriate to help build a policy advocacy coalition
- Ensure stakeholders are informed when their views are taken on board, to help the process of building a policy advocacy coalition
- To help organisational learning, commit to evaluation of the effectiveness of the policy advocacy process, including through use of feedback from stakeholders

A wide range of challenges has also had to be faced in advancing the work, with concerns needing to be delicately addressed so that they would not hinder progress. For example, given that the waste policy work was 'breaking new ground' for the Agency, it was carefully set in the context of the Cabinet Office PIU resource productivity study to help manage relations with DEFRA. On the more general front, the poor internal communication of Agency position statements also threatened to hinder / reduce the effectiveness of developing such positions in the first place.

9.2 An evaluation of Agency policy advocacy effectiveness

The comparative assessment of English Nature – Agency policy advocacy effectiveness concluded that:

- On agriculture policy advocacy, English Nature is seen as much more effective than the Agency. On waste, the Agency is reasonable and English Nature weak. Both organisations are reasonable on overall environment / SD policy advocacy
- Both the Agency and English Nature are stronger on UK issues than on EU issues, but the Agency is seen as particularly weak at EU level
- The Agency is very strong on technical and operational policy but particularly weak on strategic issues. English Nature is equally effective on both technical and strategic issues, and is much more 'present' in strategic policy communities
- The Agency is seen as stronger on water management than on industrial regulation

- The Agency is reasonable at the different stages of the policy cycle, except for the agenda setting solutions stage, where it is particularly weak. English Nature reasonably effective across the whole policy cycle

However, this overall stakeholder perception analysis has to be seen alongside the key findings from the action research. Above all else, it needs to be recognised that the Agency has shifted from a position of mainstream opposition to policy advocacy in October 2000 to one now of general support, and has significantly developed its capacity for policy advocacy.

In light of the waste and wider policy advocacy action research, the following more specific points are also highlighted as key conclusions:

1. A shared understanding of the term “policy advocacy” does not yet exist across the Agency. Many still equate policy advocacy with public relations on Agency operations (i.e. influencing people that ‘under the circumstances, we’re good at our operational job’). For some, it simply refers to the process of negotiation over options for policy implementation (e.g. implementation of IPPC or agri-waste regulations) – whilst for others “policy advocacy” also includes (and indeed is primarily about) influencing *policy design* and *policy framing*
2. Policy position statements remain buried on the Agency website, with many Agency staff at local and regional level unaware of their existence¹⁹⁵. This is consistent with an organisational emphasis on influencing UK Government officials directly rather than adopting a more multi-pronged approach (e.g. via Government offices of the regions, RDAs etc)
3. There remains no clear process for settling fundamental disagreements over internal policy for advocacy (such as over the role of energy from waste incineration in the DTI renewables obligation). This lack of a ‘policy disputes resolution process’ is consistent with the tendency of the Agency to view policy development as a technical means of ‘getting the scientifically right answer’ rather than as a political process requiring judgement.

9.3 Recommendations for improvement

As discussed in the project activity section, adoption of a clear process for settling fundamental disagreements over internal policy for advocacy was suggested but, to date, the idea has not been taken forward. Overall though, the project proposed a wide range of recommendations for improving Agency policy advocacy effectiveness – not least the creation of *corporate* policy priorities, *corporate* policy advocacy position statements and *corporate* advocacy plans – that have already been taken forward and, to a substantial extent, mainstreamed across the organisation. In terms of further enhancing Agency policy advocacy effectiveness, stakeholders interviewed in the comparative assessment of English Nature – Agency policy advocacy effectiveness identified that:

- The Agency is over-investing in regional influencing and under-investing in influencing EU issues
- The Agency has insufficient economics and social science expertise to support its policy advocacy
- Opinion is divided on whether Agency culture is supportive of policy advocacy
- More emphasis could be placed on developing robust policy analysis. This could help further embed in the Agency the difference between policy advocacy and general corporate communications
- Developing an Agency policy advocacy culture could be helped by raising the internal profile of the overall corporate position statements and underlining their status, and by committing to regular evaluation of the organisation's policy advocacy effectiveness. Such evaluation could usefully combine regular self assessment of the achievement of policy objectives with periodic stakeholder reputation analysis

Implementation of the final two bullet points would help to address key conclusions (1) and (2) from the waste and wider policy advocacy action research above. Moreover, all of the above bullet points have been highlighted in the executive summary of the comparative assessment of English Nature – Agency policy advocacy effectiveness (given at Appendix B1), which has been presented to a major policy advocacy workshop with the Chief Executive and key players from across the Agency (held on 12 September 2002).

¹⁹⁵ Evident in emails received dated 22 October 2001, 30 November 2001

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Appendix A1: PESTEL Analysis on the Agency's policy role

An assessment of the changing context in which the Agency operates serves to underline the importance and timeliness of the Agency developing its policy advocacy capability:

Type of development	Development
Political	<ul style="list-style-type: none"> • The increasing emphasis on the effective policy delivery and implementation stage of the policy cycle, both in the EU 6th Environment Action Programme¹⁹⁶, and at the highest political level within the UK¹⁹⁷ • Modernising Government's call for a more inclusive, joined up, evidence based approach to policy development¹⁹⁸, and the establishment of key central Government cross-cutting Policy Units, notably the Cabinet Office Performance and Innovation Unit, and the Regional Co-ordination Unit¹⁹⁹ • The EU White Paper on Governance, which proposes opening up the policy-making process to get more organisations involved in shaping and delivering policy²⁰⁰ • The establishment of a high level co-ordination group between the Agency and Government (involving other Government departments as well as DEFRA) with a mandate to take an annual look at likely strategic policy developments and how the Agency might be involved in these²⁰¹

¹⁹⁶ The Sixth Environment Action Programme. 'Environment 2010: Our future, our choice'. Chapter 2, A strategic approach to meeting our environmental objectives. CEC Brussels 24.1.2001 COM(2001) 31 final

¹⁹⁷ Prime Minister Tony Blair outside No. 10 after 2001 general election victory, underlining the Labour Government's second term emphasis on delivery

¹⁹⁸ Modernising Government White Paper, Cm 4310, March 1999

¹⁹⁹ Note also the Neighbourhood Renewal Unit, based in DTLR and the Sustainable Development Unit, based in DEFRA. The RCU was established as the Headquarters function of the GO network in 2000, as a result of the Performance and Innovation Unit (PIU) report 'Reaching Out - The Role of Central Government at Regional and Local Level'. It is an interdepartmental unit that, since the 2001 General Election, is located in the Deputy Prime Minister's Office.

²⁰⁰ European Governance – A White Paper. CEC Brussels 25.7.2001 COM(2001) 428 final

²⁰¹ Paragraph 2.6.3.5, page 26, DEFRA Environment Agency FMPR Stage 1 report, August 2001

Type of development	Development
Economic	<ul style="list-style-type: none"> • Increasing demand from Government (for example from the Cabinet Office Regulatory Impact Unit) to modernise regulation, so that regulation is better targeted at those posing most risk, in order to deliver environmental and health outcomes with the minimum possible burden on industrial competitiveness • The business practice of corporate environmental reporting is increasingly common, encouraged by both the Prime Minister and the development of a new EU framework for corporate social responsibility.²⁰² Policy, including regulatory policy, may need to adapt to this emerging business practice, so that the policy framework encourages rather than stifles innovation
Social	<ul style="list-style-type: none"> • Increasing Government emphasis on the social dimension of sustainable development, reflected for example by the establishment of the Cabinet Office Social Exclusion Unit • Rising public expectations of public bodies' accountability and transparency. UK Parliament has explicitly called for a more open Environment Agency, contributing more to policy development and public policy debates²⁰³ • Increasing Government emphasis on improving the science / policy interface in areas of risk and uncertainty, in context of growing public distrust in official scientific expertise²⁰⁴

²⁰² Promoting a European framework for Corporate Social Responsibility. CEC Green Paper, 2001. Drawn up on the basis of COM(2001) 366 final. See: http://europa.eu.int/comm/employment_social/social/csr/greenpaper_en.pdf Prime Minister Tony Blair singled out the top 350 companies in his address to the CBI in October 2000 as candidates to commit to corporate environmental reporting.

²⁰³ See: House of Commons Environment, Transport, and Regional Affairs Committee's Sixth Report – The Environment Agency. May 2000. The Environment Agency's Environmental Vision explicitly notes growing public expectations of public bodies' accountability and transparency.

²⁰⁴ See: Guidelines 2000 – Scientific advice and policy making, OST, July 2000. See also: Cabinet Office PIU project on the Government's management of risk.

Type of development	Development
Technological	<ul style="list-style-type: none"> • Government may increasingly seek advice given rising public concern over the risks and uncertainties posed by technologies and increasingly public debate on the role of the precautionary principle in policy²⁰⁵ • Government may increasingly request advice to adapt policy frameworks to the potential for rapid change in industrial practice from new environmental technologies (e.g. in energy efficiency, renewables, composting, recycling) • The internet is making information more accessible and driving more open policy communities, as well as significant change in business practice
Environmental	<ul style="list-style-type: none"> • A shift – at UN, EU and UK level – away from a reliance on command and control regulation, towards policy packages comprising education / awareness raising, negotiated agreements, taxes, and tradable permits, alongside traditional point source regulation²⁰⁶. This is driven by a combination of environmental, competitiveness, equity and governance concerns, including the increasing importance of diffuse pollution. • Government may increasingly request policy advice on the basis of English Nature and the Agency's experience of climate change on the ground, as concern increases (for example, in relation to flood risk)

²⁰⁵ See, for example: Precaution in practice: how the precautionary principle is used by government, business and NGOs. Green Alliance, May 2002

²⁰⁶ Reflected in: UN Kyoto Protocol and EU Fifth and Sixth Environment Action Programme. Discussed in Signed, Sealed and delivered? The role of negotiated agreements in the UK, Green Alliance, April 2001

Type of development	Development
Legal	<ul style="list-style-type: none"> • The review of Agency section (4) guidance²⁰⁷, which may give the organisation's policy advocacy role a statutory basis. Significantly, English Nature has always had a statutory duty to give independent policy advice to Government on matters affecting nature conservation. • The increasing significance of devolved and regional Government²⁰⁸, alongside the general 'Europeanisation' of environment policy making²⁰⁹

²⁰⁷ The Agency should be "an independent advisor on environmental matters affecting policy-making, both within Government and more widely". Page 15. The Environment Agency's Objectives and Contribution to Sustainable Development: Statutory Guidance. Consultation Document. DEFRA, January 2002

²⁰⁸ See: 1) Reaching Out: The role of central Government at the Regional and Local Level, Cabinet Office Performance and Innovation Unit, 2000. 2) Sustainable development in the English Regions, Green Alliance / IPPR, 2001. The Greater London Assembly and National Assembly for Wales have come into being since the Agency was established

²⁰⁹ See: Athony Zito - Task Expansion: A Theoretical Overview, Environment and Planning C, 1999, Vol 17, No 1, pp19-35

Appendix A2: Process for developing the Agency's policy position on waste

Context

The Environment Agency's Vision calls for a more outward looking organisation, contributing its experience and expertise more to assist policy development on the environment. The Environment Agency is committed to helping strengthen the link between policy and practice. Stakeholder working groups were therefore established to consider the implications of resource productivity and sustainable development for waste policy.

Process

Three policy working groups were established for a small number of policy areas identified as being key to the sustainability challenge of moving from waste to resource management. Policy Working Groups were structured around the following policy areas:

- 1) Placing resource productivity centre stage in sustainable waste management
- 2) Economic instruments and incentives for reduction, re-use and recycling
- 3) Producer responsibility

The group discussions were tasked with the overall aim of: *Promoting the rethinking of waste as a resource, by highlighting examples of good practice, by helping the Agency recommend to Government²¹⁰ policy changes to multiply such practices, and by identifying relevant policy development opportunities.* The specific outcomes set for the workshops were as follows:

²¹⁰ 'Government' here refers to both UK Government and the Welsh Assembly

Workshops	Outcomes
Wave A June / July	<ul style="list-style-type: none"> • To build understanding of stakeholders' positions and policy context • To agree policy areas / themes for discussion in WAVE B workshops
Wave B September	<ul style="list-style-type: none"> • Constructive analysis of stakeholder policy recommendations for the agreed policy areas / themes – e.g. the extent to which each is short / long term, significant / insignificant, and suggestions for improvement
Wave C December	<ul style="list-style-type: none"> • To map opportunities to promote the shift from waste management to sustainable resource management, in context of interim Agency policy positions

The working groups met as per the table below:

Group 1	Group 2	Group 3
June 22 (full day)	June 27 (afternoon only)	July 3 (afternoon only)
Sept 17 (full day)	Sept 11 (morning only)	Sept 20 (afternoon only)
Dec 10 (full day)		

Membership of Agency 06/01- 12/01 waste policy working groups

Policy working group (1) : Placing resource productivity centre stage in sustainable waste management	
Internal expertise	External expertise
<ul style="list-style-type: none"> • Martin Bigg, Head of PIR • John Colvin, Social Policy Manager • Jeff Cooper, New Duties Manager, Waste function • Philip Douglas, Research Co-ordinator • Colin Foan, Technology Assessor, NCRAOA • Jeremy Frost, EP Manager, North West • Steve Lee, Head of Waste • Chris Newton, Head of Sustainable Development • Chris Saville, Waste Planning Officer, Anglian Region 	<ul style="list-style-type: none"> • Sue Ellis, Head of DETR Waste Policy Division • Tony Gillet, Waste Policy Officer, Daventry District Council • Dominic Hogg, Director, Eunomia consultants • Peter Jones, Director, Development & External Relations, Biffa • Andy Rees, Head of Wales Waste Policy Support Unit • Alison Sharp, Cabinet Office Performance & Innovation Unit • Ben Shaw, Senior Policy Officer, Green Alliance • Jim Skea, Director, Policy Studies Institute • Philip Smith, Land Use Consultants (conducting DETR research into future waste management decision making framework) • Karine Pellaumail, Waste campaigner, Friends of the Earth

Policy working group (2): Economic instruments and incentives for waste reduction, re-use, and recycling	
Internal expertise	External expertise
<ul style="list-style-type: none"> • Martyn Cheesbrough, Prevention and minimisation programme manager • Jeff Cooper, New Duties Manager, Waste function • Philip Douglas, Research Co-ordinator • Henry Leveson Gower, Economic Analyst • Steve Lee, Head of Waste • Ronan Palmer, Chief Economist • Chris Saville, Waste Planning Officer, Anglian Region • Tim De Winton, Strategic Planning Manager, South West 	<ul style="list-style-type: none"> • Sarah Downes, Waste Policy Officer, Waste Policy Support Unit • David Foley, Environmental Researcher, Xerox Europe • Ray Georgeson, Policy Director, WRAP • Dominic Hogg, Director, Eunomia consultants • Peter Madden, Special Advisor to Environment Minister, DEFRA • Trevor Reid, DTI Environment Waste Advisor • Ben Shaw, Senior Policy Officer, Green Alliance • Jim Skea, Director, Policy Studies Institute • Peter Toombs, Waste Policy Officer, LGA • Karine Pellaumail, Waste campaigner, Friends of the Earth

Policy working group (3): Producer responsibility	
Internal expertise	External expertise
<ul style="list-style-type: none"> • Amanda Barratt, NWRU Manager, Thames Region (PRN experience) • Jeff Cooper, New Duties Manager, Waste function • Philip Douglas, Research Co-ordinator • Jon Foreman, EPNS Waste Minimisation Advisor • Henry Leveson Gower, Economic Analyst • Chris Newton, Head of Sustainable Development • Ronan Palmer, Chief Economist • Bill Watts, Economic Analyst 	<ul style="list-style-type: none"> • Mark Downs, DTI Head of Waste Policy • Wayne Fletcher, Policy Officer, Federation of Small Businesses • David Foley, Environmental Researcher, Xerox Europe • Ray Georgeson, Policy Director, WRAP • Adrian Cole, Envirowise • Tim Hill, Business & Environment Branch, National Assembly for Wales • Tim Jackson, Centre for Environmental Strategy, Surrey University • Peter Jones, Director, Development & External Relations, Biffa • Otto Linher, EC DG Environment, Resources & IPP • Shiela McKinley, DETR Head of Producer Responsibility • Ben Shaw, Senior Policy Officer, Green Alliance

Appendix A3:

Questionnaire to review effectiveness of process to develop Agency policy positions

Environment Agency waste policy development process

Review questions

The idea of this process is to help the Environment Agency develop its policy advice, in order to make an effective contribution to policy development. **We would therefore like to evaluate the effectiveness of this process. Please could you complete this questionnaire today and return to Philip Douglas / Helen Chalmers. Thank you.**

1. How appropriate do you feel the process was for helping the Agency develop its policy position?

POOR / FAIR / GOOD / VERY GOOD – plus comments:

2. Did the process meet your expectations?

YES / NO – plus comments:

3. Should we have done anything differently?

YES / NO – plus comments:

4. What did you think of the presentations?

POOR / FAIR / GOOD / VERY GOOD – plus comments:

5. How well do you think the process was facilitated?

POOR / FAIR / GOOD / VERY GOOD – plus comments:

6. What did you think about the quality of the venues and refreshments?

POOR / FAIR / GOOD / VERY GOOD – plus comments:

7. Do you think the process has given you the opportunity to contribute to the development of Agency policy advice?

YES / NO – plus comments:

8. Has the process got the mix of stakeholders about right?

YES / NO – plus comments:

9. For waste policy, how often do you think the Agency should run this kind of process?

Every 6 months (continuously) / Every year / Every 2 years / Every 5 years / Never
Plus comments:

10. What do you think of the Agency input to the DEFRA Waste Summit, which has been informed by this process?

POOR / FAIR / GOOD / VERY GOOD – plus comments:

11. How do you think we should measure the success of this process?

--

12. Do you think the Agency should run processes like this one for other policy issues?

YES / NO – plus comments:

--

13. Are there any particular policy areas that you would like to work in closer partnership with the Agency? If so, in what way?

YES / NO – plus comments:

--

14. Any further comments?

--

Appendix A4: Terms of Reference for study evaluating Agency policy advocacy effectiveness

To produce a report outlining options to enhance the Environment Agency's contribution to policy development – based on an assessment of English Nature and the Environment Agency's strengths, weaknesses, opportunities, and threats in terms of influencing public policy, as perceived by the organisations themselves and the following sectors:

- Environment NGOs
- Politics / Government
- Business

The report will:

- Briefly outline the rationale for the study and the political context to the development of the Agency and English Nature to date
- Consider policy advocacy effectiveness:
 - on overall environment / sustainable development policy
 - on agriculture and waste policy
 - at EU and UK level
 - on strategic and technical issues
 - in terms of the different stages of the policy cycle (problem identification, agenda setting solutions, refining details, and policy implementation)
- Consider the extent to which the organisations' style of stakeholder engagement, diversity of expertise, and organisational culture is supportive of their contribution to policy
- Identify specific examples of policy developments where the Agency or English Nature have been particularly influential, and the principles underlying the effectiveness of the approach taken

The work has been funded out of the Environment Agency Sustainable Development R&D budget as part of the Agency Policy Advocacy R&D.

Appendix A5: Stakeholders interviewed as part of study evaluating Agency policy advocacy effectiveness

The cross-section of Agency and English Nature representatives interviewed were identified with Chris Newton (Agency Head of Sustainable Development) and James Marsden (English Nature Head of Policy):

Environment Agency	English Nature
<ul style="list-style-type: none"> • Geoff Bateman, Area Manager, Devon • Chris Birks, Regional Director, Thames Region • Anna Burns, GLA Liaison Manager, GLA Liaison Team • Robin Chatterjee, Briefing Policy Relations Manager, NIR • Philip Douglas, Policy Development Officer, SD Unit • Jeff Cooper, Producer Responsibility Policy Manager, Waste • Neil Emmott, EU & International Relations Manager, NIR • Alun Gee, Area Manager, SE Wales • Simon Halfacree, Technical EP Support Officer, Wales • Sir John Harman, Chairman • John Holmes, Head of R&D • Tina Horswill, EP Business Planner, SATIS • Steve Lee, Head of Waste Regulation • Paul Leinster, Director of Environmental Protection • Geoff Mance, Director of Water Management • Helen McCallum, Director of Corporate Affairs • Chris Newton, Head of Sustainable Development • Elaine O'Donnell, Head of Public Affairs • Lynn Owen, Welsh Assembly Liaison Officer, Wales • Ronan Palmer, Chief Economist, SD Unit • Sara Parkin, Board member • Jim Poole, Corporate Strategist, Wales • Naresh Rao, Corporate Planning Manager, Corporate Planning • Helen Richardson, Agricultural Policy Advocate, Land Quality • Robert Runcie, Regional Director, NW Region • Chris Saville, Waste Planning Officer, Anglian Region • John Seager, Head of Environmental Monitoring and Assessment • David Wardle, Area Manager, NE Thames • Barbara Yates, Planning & Corporate Affairs Manager, Midlands Region • Barbara Young, Chief Executive 	<ul style="list-style-type: none"> • Jonathon Burney, Economist and Acting EI Team Manager • Sue Collins, Director of Policy • Helen Doran, Sustainability Advisor • Vicky Etheridge, EU Relations Manager • Michael Ford, Political Analyst • Angela Jones, Acting joint waste sector lead & review of consents officer • James Marsden, Head of Policy • Alistair Rutherford, Head of Agriculture • Janette Ward, General Manager, SW & Head of Regional Policy • Will Williams, Manager, NW Region • Richard Wright, Lowlands Team Manager & Agriculture / Forestry Policy Lead

Interviews with stakeholders from Government / Politics, Business and NGOs were used to triangulate perceptions:

External stakeholders – Government / Political representatives
<p>UK level</p> <ul style="list-style-type: none"> • Philip Andrews, Secretariat to Policy Commission on Food and Farming (now Head of Sheep Policy, DEFRA) • Mike Ashley, Director, Local Government International Bureau (LGIB) • Andrew Bennett MP, Joint Chair, UK Parliament ETR Select Committee (1997-2001) • Sue Ellis, Head of Waste Policy, DEFRA • Andrew Field, Environment & Transport Tax Team, HMT • Richard Findon, Head of Sustainable Agriculture, DEFRA • Peter Madden, Special Advisor to Environment Minister • James Marsden, Head of Policy, English Nature (commenting on EA) • Ian Pickard, Policy Advisor, SD Unit, DEFRA • Helen Richardson, Agricultural Policy Advocate, Environment Agency (commenting on EN) • Dan Sweeney, Policy Advisor, SD Directorate, DTI
<p>EU level</p> <ul style="list-style-type: none"> • Michael Hamell, Head of Agriculture & Soil, DG Environment • Marc Van Heukelen, Head of Agriculture & Structural Funds Unit, DG Budget • Caroline Jackson MEP, Chairman, European Parliament Environment, Consumer Protection & Public Health Committee • Otto Linher, Administrator, Sustainable Resources Unit, DG Environment • Jock Martin, Project Manager for Reporting Systems, European Environment Agency (EEA) • Katherine Riggs, 1st Secretary, Agriculture, UKREP • Martin Scheele, Deputy Head, Analysis and Overall Approach, Economic Analysis & Evaluation, DG Agriculture • Terry Shears, Co-ordinator, IMPEL • Pierre Strosser, Economist, SD Unit (Water Framework Directive), DG Environment

External stakeholders - Business representatives	
UK level	<ul style="list-style-type: none"> • Andrew Ainsworth, Senior Policy Executive, Environmental Services Association (ESA) • Janet Asherson, Head of Environment Affairs, Confederation of British Industry (CBI) • Allan Buckwell, Chief Economist, Country Land & Business Association (CLA) • Wayne Fletcher, Policy Officer, Federation of Small Businesses (FSB) • Peter Jones, Director, External Relations, BIFFA Waste Services • Brian McLoughlin, Head of Environment & Rural Affairs Department, National Farmers Union (NFU)
EU level	<ul style="list-style-type: none"> • Ross Bartley, Environment Director, Bureau of International Recycling (BIR) • Euros Jones, Planning & Economic Affairs Manager, EU Crop Protection Association (ECPA) • Damien Rees Phillips, Policy Director, Bureau Agricool de Britannique • Kay Twitchen, President, Association for the Sustainable Use and Recovery of Resources in Europe (ASSURRE) • Vanya Veras, Secretary General, European Federation of Waste Management and Environmental Services (FEAD) • Resto Volanen, Secretary General, Committee of Agricultural Organisations (COPA)

External stakeholders – NGO representatives	
UK level	<ul style="list-style-type: none"> • David Burges, Head of Future Landscapes, WWF • Chris Hewett, Senior Research Fellow, IPPR • Gregor Hutcheon, Head of Rural Policy, CPRE • Ben Shaw, Senior Policy Advisor, Green Alliance • Vicki Swailes, Head of Agriculture Policy, RSPB • Stephen Tindale, Executive Director, Greenpeace
EU level	<ul style="list-style-type: none"> • David Baldock, Director, Institute of European Environment Policy (IEEP) • Lorenzo Consoli, EU Policy Adviser, Greenpeace International EU Unit • John Hontelez, Secretary General, European Environmental Bureau (EEB) • Tony Long, Director, WWF European Policy Office • Miguel Naveso, Head of ECO, BirdLife International • Martin Roocholl, Director, Friends of the Earth Europe

External stakeholders were chosen on the basis of satisfying the following two criteria:

- They have an interest in the contribution to policy development made by the Environment Agency and/or English Nature

- They are perceived as influential players in the policy community. An initial base of agriculture, waste and overall environment / sustainable development stakeholders was agreed with Helen Richardson (Agency agriculture policy advocate), Steve Lee / Jeff Cooper (Agency Head of Waste Management, Agency Producer Responsibility Manager), and Chris Newton (Agency Head of Sustainable Development)²¹¹. Additional 'influential' stakeholders were included on the recommendation of Government and European Commission interviewees

²¹¹ The initial base of waste stakeholders was identified from participants in the June – December 2001 Agency waste policy advocacy process. Participants in this process were agreed with Steve Lee (Agency Head of Waste Management), Jeff Cooper (Agency Producer Responsibility Manager) and Chris Newton (Agency Head of Sustainable Development). In addition, participants in the initial workshop of the waste policy advocacy process themselves identified additional stakeholders.

Appendix B1

THE ENVIRONMENT AGENCY'S CONTRIBUTION TO EU AND UK POLICY DEVELOPMENT

AN EVALUATION OF EFFECTIVENESS AND OPTIONS FOR IMPROVEMENT

THE ENVIRONMENT AGENCY AND ENGLISH NATURE IN COMPARATIVE PERSPECTIVE

PHILIP DOUGLAS

**POLICY UNIT
ENVIRONMENT AGENCY**

JULY 2002

CONTENTS

A. Summary

- 1. **Executive Summary.....154**
- 2. **Summary.....155**
 - 2.1 Basis of study and methodology
 - 2.2 Key external drivers: Opportunities for change
 - 2.3 Key Agency and English Nature strengths and weaknesses
 - 2.4 Options for enhancing Agency policy advocacy effectiveness

B. Introduction and context

- 3. **Introduction.....161**
 - 3.1 Overall aim
 - 3.2 Terms of Reference
 - 3.3 Basis for comparison with English Nature
 - 3.4 Methodology
 - 3.5 Previous studies
- 4. **Political context to the development of English Nature and the Agency.....164**
 - 4.1 English Nature
 - 4.2 Environment Agency
 - 4.3 The organisations as policy advisors: Opportunities for and threats to change

C. Key findings

- 5. **Policy advocacy on: agriculture, waste, and overall environment / sustainable development issues.....170**
 - 5.1 Policy advocacy effectiveness on agriculture
 - 5.2 Policy advocacy effectiveness on waste
 - 5.3 Policy advocacy effectiveness on overall environment / SD issues
- 6. **Policy Integration.....175**
- 7. **Policy advocacy at EU and UK level.....177**
 - 7.1 The expansion of EU environment policy
 - 7.2 Moving forward: Comparative EU research
 - 7.3 Moving forward: Relationship with DEFRA on EU issues
 - 7.4 Devolution
- 8. **Policy advocacy on technical and strategic issues.....191**
 - 8.1 Moving towards policy relevant analysis
 - 8.2 Differences between Agency Directorates on policy advocacy: Water Management and Environmental Protection
 - 8.3 From regulation to policy packages

9. Stages of the policy development cycle.....	202
9.1 Problem identification	
9.2 Agenda setting solutions	
9.3 Refinement of details	
9.4 Policy implementation	
10. Use of stakeholder engagement to support policy advocacy.....	211
11. Use of expertise to support policy advocacy.....	216
11.1 Scientific expertise: Perceptions and context	
11.2 Scientific expertise: Moving forward	
11.3 Economic and social expertise: Perceptions and context	
11.4 Economic and social expertise: Moving forward	
12. Organisational culture.....	223
12.1 English Nature organisational culture	
12.2 Agency organisational culture	
12.3 Moving forward internal change in the Environment Agency	
13. Specific examples of Environment Agency policy advocacy effectiveness.....	230
13.1 DEFRA Environment Agency Financial, Management and Policy Review	
13.2 Agency June – December 2001 waste policy advocacy process	
13.3 AMP3 Periodic Review process	
13.4 ‘Bridging the Gap’: Influencing environmental reporting requirements	
13.5 Influencing the development of the Water Framework Directive	
14. Specific examples of English Nature policy advocacy effectiveness.....	244
14.1 Common Agricultural Policy Agenda 2000 reforms	
14.2 Policy Commission on the Future of Farming and Food	
14.3 Pesticides tax and the strengthened voluntary package	
14.4 Spending Review 2002	
14.5 EU Sustainable Development Strategy	
D. Options to enhance measurement and effectiveness of Agency policy advocacy	
15. Future measurement of Agency policy advocacy effectiveness.....	252
15.1 Self assessment	
15.2 Policy network analysis	
15.3 Process tracing	
15.4 Reputation analysis	
16. Options to enhance Agency policy advocacy effectiveness.....	254
Appendices.....	257
Appendix 1: Stakeholders interviewed	
Appendix 2: Membership of Agency 06/01- 12/01 waste policy working groups	

A. Summary

1 Executive Summary

This report provides an assessment of Environment Agency policy advocacy effectiveness – alongside English Nature in comparative perspective – and thereby identifies options to enhance the Agency's contribution to EU and UK public policy development. It has been funded out of the Agency Sustainable Development R&D budget.

It is based on 85 interviews – with key representatives from Government / Politics, Business and NGOs, and within English Nature and the Agency (full list given at Appendix 1). Within the Agency, this includes staff at Area, Regional, and Head Office level. Comparison with English Nature is on the basis that both organisations share NDPB status, broad UK policy context, and key environmental interests and, moreover, both organisations' policy advice is based on substantial policy expertise, experience of policy implementation, and a strong commitment to sound science.

Both organisations have their strengths and weaknesses. Key findings are that:

- On agriculture policy advocacy, English Nature is seen as much more effective than the Agency. On waste, the Agency is reasonably effective and English Nature weak. Both organisations are reasonable on overall environment / SD policy advocacy
- Both the Agency and English Nature are stronger on UK issues than on EU issues, but the Agency is seen as particularly weak at EU level
- The Agency is very strong on technical and operational policy but particularly weak on strategic issues. English Nature is equally effective on both technical and strategic issues, and is much more 'present' in strategic policy communities
- Agency is seen as stronger on water management than on industrial regulation
- Agency reasonable at the different stages of the policy cycle, except for the agenda setting solutions stage, where it is particularly weak. English Nature reasonably effective across the whole policy cycle

In terms of enhancing Agency policy advocacy effectiveness, stakeholders identified that:

- Agency is over-investing in regional influencing and under-investing in influencing EU issues
- Agency has insufficient economics and social science expertise to support its policy advocacy
- Opinion is divided on whether Agency culture is supportive of policy advocacy
- More emphasis could be placed on developing robust policy analysis. This could help further embed in the Agency the difference between policy advocacy and general corporate communications
- Developing an Agency policy advocacy culture could be helped by raising the internal profile of the overall corporate position statements and underlining their status, and by committing to regular evaluation of the organisation's policy advocacy effectiveness. Such evaluation could usefully combine regular self assessment of the achievement of policy objectives with periodic stakeholder reputation analysis

2 Summary

2.1 Basis of study and methodology

This report provides an assessment of Environment Agency policy advocacy effectiveness – alongside English Nature in comparative perspective – and thereby identifies options to enhance the Agency's contribution to EU and UK public policy development. It has been funded out of the Agency Sustainable Development R&D budget.

It is based on 85 interviews – with key representatives from Government / Politics, Business and NGOs, and within English Nature and the Agency (full list given at Appendix 1). Within the Agency, this includes staff at Area, Regional, and Head Office level. Comparison with English Nature is on the following basis:

The organisations share:	Both organisations' policy advice is based on:
<ul style="list-style-type: none">• NDPB status• Broad UK policy context• Key environmental interests	<ul style="list-style-type: none">• Substantial policy expertise• Experience of policy implementation• Strong commitment to sound science

In addition, English Nature have for several years had position statements, managed through an agreed advocacy framework including English Nature People and Policies Programme Board, Council and Directors – and a statutory duty to give independent policy advice. For the Agency, position statements and agreement of a corporate framework for managing policy advocacy (involving Directors Policy Steering Group) have been more recent developments, as has been recognised by the DEFRA FMPR. Furthermore, it is only now that DEFRA are consulting on a statutory policy advice role for the Agency. Nevertheless, no assumptions have been made as to English Nature or Agency policy advocacy effectiveness, and the intention of the study is to identify the strengths and weakness of both organisations.

Stakeholders were asked to score and comment on the following aspects of policy advocacy effectiveness:

- Policy advocacy effectiveness on agriculture, waste and overall environment / sustainable development issues
- Policy advocacy effectiveness at EU level and UK level
- The perceived and desired split of public policy influencing effort between EU, UK, regional / devolved, and local level
- Policy advocacy effectiveness on technical and strategic issues
- Policy advocacy effectiveness at the different stages of the policy development cycle: problem identification, agenda setting solutions, refinement of details, and policy implementation
- Effectiveness in using stakeholder engagement to support policy advocacy
- Effectiveness in using expertise to support policy advocacy
- Effectiveness in developing an organisational culture which supports policy advocacy

Stakeholders were also asked to comment on specific policy areas where English Nature and the Environment Agency claimed to have been influential, and in particular on the principles underlying the effectiveness of the approach taken.

2.2 Key external drivers: Opportunities for and threats to change

Key external developments impacting on the Agency's role in relation to policy development include:

- The review of Agency section (4) guidance¹, which may give the organisation's policy advocacy role a statutory basis.
- A shift – at UN, EU and UK level – away from a reliance on command and control regulation, towards policy packages comprising education / awareness raising, negotiated agreements, taxes, and tradable permits, alongside traditional point source regulation². This is driven by several concerns, including the increasing importance of diffuse pollution.
- The increasing emphasis on the effective policy delivery and implementation stage of the policy cycle, both in the EU 6th Environment Action Programme³, and at the highest political level within the UK⁴
- Modernising Government's call for a more inclusive, joined up, evidence based approach to policy development⁵, and the establishment of key central Government cross-cutting Policy Units, notably the Cabinet Office Performance and Innovation Unit, the Regional Co-ordination Unit and the Social Exclusion Unit⁶
- The increasing significance of devolved and regional Government⁷, alongside the general 'Europeanisation' of environment policy making⁸
- Rising public expectations of public bodies' accountability and transparency. UK Parliament has explicitly called for a more open Environment Agency, contributing more to policy development and public policy debates⁹

¹ The Agency should be "an independent advisor on environmental matters affecting policy-making, both within Government and more widely". Page 15. The Environment Agency's Objectives and Contribution to Sustainable Development: Statutory Guidance. Consultation Document. DEFRA, January 2002

² Reflected in: UN Kyoto Protocol and EU Fifth and Sixth Environment Action Programme. Discussed in Signed, Sealed and delivered? The role of negotiated agreements in the UK, Green Alliance, April 2001

³ The Sixth Environment Action Programme. 'Environment 2010: Our future, our choice'. Chapter 2, A strategic approach to meeting our environmental objectives. CEC Brussels 24.1.2001 COM(2001) 31 final

⁴ Prime Minister Tony Blair outside No. 10 after 2001 general election victory, underlining the Labour Government's second term emphasis on delivery

⁵ Modernising Government White Paper, Cm 4310, March 1999

⁶ Note also the Neighbourhood Renewal Unit, based in DTLR and the Sustainable Development Unit, based in DEFRA. The RCU was established as the Headquarters function of the GO network in 2000, as a result of the Performance and Innovation Unit (PIU) report 'Reaching Out - The Role of Central Government at Regional and Local Level'. It is an interdepartmental unit that, since the 2001 General Election, is located in the Deputy Prime Minister's Office.

⁷ See: 1) Reaching Out: The role of central Government at the Regional and Local Level, Cabinet Office Performance and Innovation Unit, 2000. 2) Sustainable development in the English Regions, Green Alliance / IPPR, 2001. The Greater London Assembly and National Assembly for Wales have come into being since the Agency was established

⁸ See: Athony Zito - Task Expansion: A Theoretical Overview, Environment and Planning C, 1999, Vol 17, No 1, pp19-35

2.3 Key Agency and English Nature strengths and weaknesses

Both organisations have their strengths and weaknesses. Key findings are that:

- On agriculture policy advocacy, English Nature is seen as much more effective than the Agency. On waste, the Agency is reasonably effective and English Nature weak. Both organisations are reasonable on overall environment / SD policy advocacy. Stakeholders less familiar with the Agency score the organisation more highly.
- Both the Agency and English Nature are stronger on UK issues than on EU issues, but the Agency is seen as particularly weak at EU level
- The Agency is very strong on technical and operational policy but particularly weak on strategic issues. English Nature is equally effective on both technical and strategic issues, and is much more 'present' in strategic policy communities. Stakeholders less familiar with English Nature give the organisation a lower score on technical issues
- Agency is seen as stronger on water management than on industrial regulation
- Agency reasonable at the different stages of the policy cycle, except for the agenda setting solutions stage, where it is particularly weak. English Nature reasonably effective across the whole policy cycle.

Both organisations have effectively influenced a range of specific policy areas. Examples of the Agency being an influential player include the DEFRA Environment Agency Financial, Management and Policy Review and the AMP3 Periodic Review process. Examples of English Nature policy advocacy effectiveness include influencing the CAP Agenda 2000 reforms and the Policy Commission on the Future of Farming and Food.

In terms of enhancing Agency policy advocacy effectiveness, stakeholders identified that:

- Agency is over-investing in regional influencing and under-investing in influencing EU issues
- Agency has insufficient economics and social science expertise to support its policy advocacy
- Opinion is divided on whether Agency culture is supportive of policy advocacy

2.4 Options for enhancing Agency policy advocacy effectiveness

Key options identified through this stakeholder evaluation of the Agency's policy advocacy effectiveness are as follows:

Improving shared understanding and co-ordination:

- 1) More emphasis could be placed on developing robust policy analysis. This could help further embed in the Agency the difference between policy advocacy and general corporate communications

⁹ See: House of Commons Environment, Transport, and Regional Affairs Committee's Sixth Report – The Environment Agency. May 2000. The Environment Agency's Environmental Vision explicitly notes growing public expectations of public bodies' accountability and transparency.

- 2) Regions and Areas could periodically report back to Head Office on their use of corporate position statements, to assist co-ordination of regional political relationships and learning.

Improving policy advocacy effectiveness on EU issues:

- 3) The Agency could itself initiate a number of comparative reviews between EU countries – some focussed on differing national approaches to the implementation of specific EU environmental Directives, others on the challenge of delivering joined up action with respect to wider thematic policy priorities
- 4) The Agency could, in context of the new section (4) guidance, review with the Environment Minister the *1997 Memorandum of Understanding between the DOE and the Environment Agency on the Handling of International Activities*
- 5) The Agency could conduct research with SEPA, DEFRA and other Government departments to consider the merits and disadvantages of the different Agency – Government arrangements across Europe. The implications of each institutional framework / arrangement for both EU policy influencing and EU policy implementation could be considered, and options to enhance UK effectiveness on EU issues could then be identified
- 6) The Agency could, in partnership with the European Environment Agency and others, conduct research exploring how EU Environment Protection Agencies (EPAs) could be better networked to enhance their contribution to EU policy and thereby improve the effectiveness of EU policy development
- 7) The Agency could raise the opportunity for a number of secondments to the Head Office Policy Unit for those working on regional policy influencing, and for further secondments between the Agency and the European Commission and other EU member state EPAs. Wider opportunities to include EU dimension more in Head Office thinking and to better link the Agency's regional influencing work with Head Office policy advocacy could also be explored

Improving policy advocacy effectiveness on strategic issues:

- 8) The Agency could prioritise the building of its policy analysis capacity on strategic issues, so that it can more seriously engage in policy development. This could include an extension of R&D on new policy instruments, and a new political science R&D programme analysing policy processes, jointly led by the Policy Unit and Corporate Affairs.
- 9) The Agency could explore opportunities to promote learning from the approach taken on the *Water resources for the future* strategy to other key policy areas, such as waste and flood defence

- 10) The Agency could prioritise building its social and economic policy analysis capacity, so that it is able to contribute effectively to the development of new policy packages which may impact its mission or operations.

Improving use of stakeholder engagement to support policy advocacy:

- 11) The Agency could work with DEFRA to prioritise the development of relationships with MEPs sitting on the Environment Committee, in particular to help deliver integrated policy implementation
- 12) The Agency could prioritise the development of relationships with a small group of MPs with a strong interest in the environment or other Agency activities (e.g. flood defence).
- 13) The Agency could further *mainstream* the partnership approach to policy advocacy described in the Vision through framing particularly sensitive areas of policy relevant R&D in partnership with stakeholders, in line with the OST guidelines on scientific advice and policy making

Developing expertise to improve policy advocacy capability:

- 14) The Agency could host a workshop on the Science Plan with external stakeholders, including policy stakeholders, to inform its future development. Directors' Policy Steering Group could also be asked to consider the Science Plan from a policy advocacy perspective
- 15) The Agency could integrate into its horizon scanning process the need to consider requirements for new expertise (such as, for example, the possible need for additional expertise on health and recycling / composting issues)
- 16) The Agency could prioritise investment in its economic and social science capacity, to improve integration of economic and social issues into Agency policy advocacy

Developing an Agency policy advocacy culture:

- 17) Agency Directors could underline the new organisational commitment to policy advocacy, for example by:
 - raising the internal profile of the overall corporate position statements and underlining their status
 - amending the title of the Director of Water Management to Director of Policy and Water Management
 - committing to regular evaluation of the organisation's policy advocacy effectiveness
 - committing to a 2005 aim for Agency strategic policy advocacy, as seen by stakeholders, to be significantly better, measured against both 2002 and English Nature performance

Improving measurement of Agency policy advocacy effectiveness:

18) To improve measurement of Agency policy advocacy effectiveness, the Agency could commit to:

- Regular self assessment of the achievement of policy objectives and shifts in Government position, with summary progress reports to Policy Steering Group, for all policy priorities
- Periodic reputation analysis, asking key Government, Business, and NGO stakeholders (including at EU level) to score and comment on Agency influencing effectiveness

Measures of 'success out' would need to be considered alongside an assessment of 'effort in' (e.g. an estimate of resources allocated to policy advocacy priorities)

B. Introduction and context

3 Introduction

3.1 Overall aim

To provide an assessment of Environment Agency policy advocacy effectiveness – alongside English Nature in comparative perspective – and to thereby identify options to enhance the Agency's contribution to EU and UK public policy development.

3.2 Terms of Reference

To produce a report outlining options to enhance the Environment Agency's contribution to policy development – based on an assessment of English Nature and the Environment Agency's strengths, weaknesses, opportunities, and threats in terms of influencing public policy, as perceived by the organisations themselves and the following sectors:

- Environment NGOs
- Politics / Government
- Business

The report will:

- Briefly outline the rationale for the study and the political context to the development of the Agency and English Nature to date
- Consider policy advocacy effectiveness:
 - on overall environment / sustainable development policy
 - on agriculture and waste policy
 - at EU and UK level
 - on strategic and technical issues
 - in terms of the different stages of the policy cycle (problem identification, agenda setting solutions, refining details, and policy implementation)
- Consider the extent to which the organisations' style of stakeholder engagement, diversity of expertise, and organisational culture is supportive of their contribution to policy
- Identify specific examples of policy developments where the Agency or English Nature have been particularly influential, and the principles underlying the effectiveness of the approach taken

The work has been funded out of the Environment Agency Sustainable Development R&D budget as part of the Agency Policy Advocacy R&D.

3.3 Basis for comparison with English Nature

The Agency is compared with English Nature on the following basis:

The organisations share:	Both organisations' policy advice is based on:
<ul style="list-style-type: none">• NDPB status• Broad UK policy context• Key environmental interests	<ul style="list-style-type: none">• Substantial policy expertise• Experience of policy implementation• Strong commitment to sound science

In particular, both organisations' policy advice is based on substantial expertise in terms of policy implementation experience. English Nature is the Government's statutory advisor on nature conservation and implements parts of the UK Biodiversity Action Plan and various EU directives / UK regulations (e.g. Habitats Directive, Countryside and Rights of Way Act 2000, Wildlife and Countryside Act 1981).¹⁰ The Agency is the competent legal body for implementation of a diverse range of EU directives / UK regulations (e.g. Integrated Pollution Prevention and Control Directive, Environment Protection Act 1990) and also has statutory duties to contribute to sustainable development and form an opinion on the state of the environment. Both organisations' policy advice is also based on a strong commitment to sound science, as illustrated by the following comments:

Comment	Source
The Agency's credentials are as a damn good scientific and technical body	Agency
We have a 'golden rule' not to go out on a policy position unless its underpinned by good science. We take the scientific basis very seriously	English Nature

In addition, English Nature have for several years had position statements, managed through an agreed corporate advocacy framework including English Nature People and Policies Programme Board¹¹, Council and Directors, alongside a statutory duty to give independent policy advice. For the Agency, position statements and agreement of a corporate framework for managing policy advocacy (involving Directors Policy Steering Group) has been a recent development, as has been recognised by the FMPR¹². It is also significant that it is only now that DEFRA are consulting on a statutory policy advice role for the Agency¹³.

Nevertheless, given the similarities in terms of implementation, commitment to science, expertise, NDPB status, environmental interests, and broad UK policy context, English Nature experience may be readily transferable into an Agency context. Comparing

¹⁰ From English Nature Corporate Governance Manual, July 2001 and confirmed by English Nature Policy Director Sue Collins in interview in Oct 2001 preliminary study

¹¹ Influencing policy change is a key aim of the People and Policies Programme Board. People and Policies Programme Board Terms of Reference, 19 March 2001 (revised 23 November 2001)

¹² Page 67, Paragraph 8. DEFRA Environment Agency Financial Management and Policy Review (FMPR) Stage 2 report, March 2002

¹³ See: Page 15. The Environment Agency's Objectives and Contribution to Sustainable Development: Statutory Guidance. Consultation Document. DEFRA, January 2002

English Nature with the Agency was also seen as feasible – in many cases the same external people could be interviewed at both UK and EU level and there was high level support for comparison within both organisations¹⁴.

However, it must be emphasised that **it has not been assumed that English Nature is in every respect more effective than the Agency in terms of influencing public policy.** Rather, the intention of the study is to identify the strengths and weaknesses of both organisations, and the principles underlying effective approaches to policy advocacy.

3.4 Methodology

Interviews, structured around the terms of reference, were conducted with representatives from Government / Politics, Business and NGOs. Stakeholders were asked to score and comment on the following aspects of policy advocacy effectiveness:

- Policy advocacy effectiveness on agriculture, waste and overall environment / sustainable development issues
- Policy advocacy effectiveness at EU level and UK level
- The perceived and desired split of public policy influencing effort between EU, UK, regional / devolved, and local level
- Policy advocacy effectiveness on technical and strategic issues
- Policy advocacy effectiveness at the different stages of the policy development cycle: problem identification, agenda setting solutions, refinement of details, and policy implementation
- Effectiveness in using stakeholder engagement to support policy advocacy
- Effectiveness in using expertise to support policy advocacy
- Effectiveness in developing an organisational culture which supports policy advocacy

Stakeholders were also asked to comment on specific policy areas where English Nature and the Environment Agency claimed to have been influential, and in particular on the principles underlying the effectiveness of the approach taken.

External stakeholders were chosen on the basis of satisfying the following two criteria:

1. They have an interest in the contribution to policy development made by the Environment Agency and/or English Nature
2. They were perceived as influential players in the policy community. An initial base of agriculture, waste and overall environment / sustainable development stakeholders was agreed with Helen Richardson (Agency agriculture policy advocate), Steve Lee / Jeff Cooper (Agency Head of Waste Management, Agency Producer Responsibility

¹⁴ Sue Collins (Director of Policy, English Nature) and James Marsden (Head of Policy, English Nature) expressed support for and interest in a comparative assessment of Environment Agency and English Nature policy advocacy effectiveness (19 February 2002). Environment Agency Policy Advocacy R&D Steering Group discussion also identified support for such a comparative study, including from Prof Richard MacRory (Agency Board member), John Murlis (Agency Director of Environmental Strategy) and Chris Newton (Agency Head of Sustainable Development)

Manager), and Chris Newton (Agency Head of Sustainable Development)¹⁵. Additional 'influential' stakeholders were included on the recommendation of Government and European Commission interviewees

In addition, representatives from across the management hierarchies of both the Agency and English Nature have been interviewed. Within the Agency, this includes staff at Area, Regional, and Head Office level. The full list of English Nature, Agency and external stakeholders interviewed (85 in total) is given at Appendix 1. This has been supported by wide ranging desk-based research, and appropriate referencing is given via footnotes.

3.5 Previous studies

The development of the Agency's present EU & International Relations Team can be linked back to a National Rivers Authority 1992 study¹⁶, which focused on building EU monitoring and influencing capacity. Key conclusions included:

- DoE fails to consult fully the range of different UK interests and to build consensus on UK positions in EC negotiations
- DoE does not draw enough on UK technical expertise

In 1996, English Nature commissioned independent consultants to evaluate the quality and effectiveness of its advice to Government. Whilst offering recommendations to further improve performance, the consultants found that English Nature's advice was generally regarded as of high quality, well presented, and scientifically sound, and that English Nature was often effective in influencing Government policies affecting nature conservation.¹⁷

4 Political context to the development of English Nature and the Agency

4.1 English Nature

Significantly, English Nature's status as the Government's advisor on nature conservation has always had a statutory basis. English Nature promotes the conservation of England's wildlife and natural features and is a statutory body funded by DEFRA. The organisation implements international conventions, EC Directives and English Nature's share of the UK Biodiversity Action Plan in England on behalf of the UK Government. EN designates and manages Sites of Special Scientific Interest (SSSI), National Nature Reserves (NNRs) and Marine Nature Reserves.

¹⁵ The initial base of waste stakeholders was identified from participants in the June – December 2001 Agency waste policy advocacy process. Participants in this process were agreed with Steve Lee (Agency Head of Waste Management), Jeff Cooper (Agency Producer Responsibility Manager) and Chris Newton (Agency Head of Sustainable Development). In addition, participants in the initial workshop of the waste policy advocacy process themselves identified additional stakeholders.

¹⁶ Options for European Community Involvement. Study for the National Rivers Authority, Bruce Naughton Wade, March 1992

¹⁷ An evaluation of the effectiveness of English Nature's advice to Government. Sarah Burton, Marketing Consultant, 11 March 1996

However, it may be necessary to understand the political developments that led to the creation of English Nature in order to more fully understand Government's acceptance of the organisation's policy advocacy role. As one English Nature representative put it:

"We used to be the UK Nature Conservation Council (NCC). In the early 1990s, the Secretary of State Nicholas Ridley thought the NCC was too powerful, so there was a Government review and we got split up – into English Nature, Countryside Council for Wales, and Scottish Natural Heritage. This gave central Government more control, but it also re-energised English Nature more towards policy advocacy, in reaction to the split" English Nature

4.2 Environment Agency

The Environment Agency¹⁸ was created in 1996 through the merger of 86 bodies, including Her Majesty's Inspectorate of Pollution, the National Rivers Authority, and the local authority Waste Regulation Authorities. Section (4) of the 1995 Environment Act gave the Agency a statutory duty to contribute to sustainable development through integrated delivery of its functions. However, it is equally notable that it did not feature a statutory policy advice role for the Agency. In this context Carter et al argue:

*"The creation of the Environment Agency owed little in its origins or ultimate design to the idea of sustainability... [with] the government persuaded to consolidate the regulatory functions of pollution control within one agency on the grounds of administrative efficiency and political opportunism, not sustainability"*¹⁹

As with English Nature, it may be necessary to understand the political developments that led to the creation of the Agency in order to more fully understand Government's attitude towards the organisation's policy advocacy role. As one Agency representative argued, Government nervousness over Agency engagement in policy advocacy may be linked to the legacy of the National Rivers Authority (NRA):

"The National Rivers Authority (NRA) didn't have a 'Memorandum of Understanding' (MOU) with the Department on EU and international activities. The NRA was a lot more independent than the Agency, but it was the exuberance of the NRA – the NRA feeling that it could speak to anybody – that precipitated the current Agency MOU on EU and international relations, which is very restrictive" Agency

In addition, the size of the organisation may have an important bearing on Government's attitude to its engagement in policy advocacy. As one Government / Political stakeholder suggested:

"English Nature is fairly focussed. Government finds it more difficult to give a policy advice role to an organisation as large and potentially powerful as the Environment Agency" Government / Political

¹⁸ The Environment Agency of England and Wales was established under the 1995 Environment Act

¹⁹ Page 19, N Carter, P Lowe and A Flynn: "Environmental Policy in Britain" (1996)

Nevertheless, in August 2001, the first 5 year review (FMPR) of the Agency concluded that, in context of the Government's commitment to sustainable development:

*"The Agency should discharge its functions to protect or enhance the environment, and be an advisor... In the debate about sustainable development, the Agency has an important and independent role to be an advocate of the environment"*²⁰

Accordingly, the Agency's statutory sustainable development guidance is now being revised so that the organisation can be "an independent advisor on environmental matters affecting policy-making, both within Government and more widely"²¹.

4.3 English Nature and the Agency as policy advisors: Opportunities and threats to change

An assessment of the changing context in which English Nature and the Agency operates serves to underline the importance and timeliness of the Agency developing its policy advocacy capability.

Key external developments – which can be seen as either opportunities or threats – include:

²⁰ Page 77-78. Environment Agency Financial Management and Policy Review, Department of Environment, Food and Rural Affairs (DEFRA) Stage 1 report, August 2001

²¹ Page 15. The Environment Agency's Objectives and Contribution to Sustainable Development: Statutory Guidance. Consultation Document. DEFRA, January 2002

Type of development	Development
Political	<ul style="list-style-type: none"> • The increasing emphasis on the effective policy delivery and implementation stage of the policy cycle, both in the EU 6th Environment Action Programme²², and at the highest political level within the UK²³ • Modernising Government's call for a more inclusive, joined up, evidence based approach to policy development²⁴, and the establishment of key central Government cross-cutting Policy Units, notably the Cabinet Office Performance and Innovation Unit, and the Regional Co-ordination Unit²⁵ • The EU White Paper on Governance, which proposes opening up the policy-making process to get more organisations involved in shaping and delivering policy²⁶ • The establishment of a high level co-ordination group between the Agency and Government (involving other Government departments as well as DEFRA) with a mandate to take an annual look at likely strategic policy developments and how the Agency might be involved in these²⁷
Economic	<ul style="list-style-type: none"> • Increasing demand from Government (for example from the Cabinet Office Regulatory Impact Unit) to modernise regulation, so that regulation is better targeted at those posing most risk, in order to deliver environmental and health outcomes with the minimum possible burden on industrial competitiveness • The business practice of corporate environmental reporting is increasingly common, encouraged by both the Prime Minister and the development of a new EU framework for corporate social responsibility.²⁸ Policy, including regulatory policy, may need to adapt to this emerging business practice, so that the policy framework encourages rather than stifles innovation

²² The Sixth Environment Action Programme. 'Environment 2010: Our future, our choice'. Chapter 2, A strategic approach to meeting our environmental objectives. CEC Brussels 24.1.2001 COM(2001) 31 final

²³ Prime Minister Tony Blair outside No. 10 after 2001 general election victory, underlining the Labour Government's second term emphasis on delivery

²⁴ Modernising Government White Paper, Cm 4310, March 1999

²⁵ Note also the Neighbourhood Renewal Unit, based in DTLR and the Sustainable Development Unit, based in DEFRA. The RCU was established as the Headquarters function of the GO network in 2000, as a result of the Performance and Innovation Unit (PIU) report 'Reaching Out - The Role of Central Government at Regional and Local Level'. It is an interdepartmental unit that, since the 2001 General Election, is located in the Deputy Prime Minister's Office.

²⁶ European Governance – A White Paper. CEC Brussels 25.7.2001 COM(2001) 428 final

²⁷ Paragraph 2.6.3.5, page 26, DEFRA Environment Agency FMPR Stage 1 report, August 2001

²⁸ Promoting a European framework for Corporate Social Responsibility. CEC Green Paper, 2001. Drawn up on the basis of COM(2001) 366 final. See: http://europa.eu.int/comm/employment_social/social/csr/greenpaper_en.pdf Prime Minister Tony Blair singled out the top 350 companies in his address to the CBI in October 2000 as candidates to commit to corporate environmental reporting.

Type of development	Development
Social	<ul style="list-style-type: none"> • Increasing Government emphasis on the social dimension of sustainable development, reflected for example by the establishment of the Cabinet Office Social Exclusion Unit • Rising public expectations of public bodies' accountability and transparency. UK Parliament has explicitly called for a more open Environment Agency, contributing more to policy development and public policy debates²⁹ • Increasing Government emphasis on improving the science / policy interface in areas of risk and uncertainty, in context of growing public distrust in official scientific expertise³⁰
Technological	<ul style="list-style-type: none"> • Government may increasingly seek advice given rising public concern over the risks and uncertainties posed by technologies and increasingly public debate on the role of the precautionary principle in policy³¹ • Government may increasingly request advice to adapt policy frameworks to the potential for rapid change in industrial practice from new environmental technologies (e.g. in energy efficiency, renewable energy, composting, recycling) • The internet is making information more accessible and driving more open policy communities, as well as significant change in business practice

²⁹ See: House of Commons Environment, Transport, and Regional Affairs Committee's Sixth Report – The Environment Agency. May 2000. The Environment Agency's Environmental Vision explicitly notes growing public expectations of public bodies' accountability and transparency.

³⁰ See: Guidelines 2000 – Scientific advice and policy making, OST, July 2000. See also: Cabinet Office PIU project on the Government's management of risk.

³¹ See, for example: Precaution in practice: how the precautionary principle is used by government, business and NGOs. Green Alliance, May 2002

Type of development	Development
Environmental	<ul style="list-style-type: none"> • A shift – at UN, EU and UK level – away from a reliance on command and control regulation, towards policy packages comprising education / awareness raising, negotiated agreements, taxes, and tradable permits, alongside traditional point source regulation³². This is driven by a combination of environmental, competitiveness, equity and governance concerns, including the increasing importance of diffuse pollution. • Government may increasingly request policy advice on the basis of English Nature and the Agency's experience of climate change on the ground, as concern increases (for example, in relation to flood risk)
Legal	<ul style="list-style-type: none"> • The review of Agency section (4) guidance³³, which may give the organisation's policy advocacy role a statutory basis. Significantly, English Nature has always had a statutory duty to give independent policy advice to Government on matters affecting nature conservation. • The increasing significance of devolved and regional Government³⁴, alongside the general 'Europeanisation' of environment policy making³⁵

Analysis of key findings begins overleaf.

³² Reflected in: UN Kyoto Protocol and EU Fifth and Sixth Environment Action Programme. Discussed in Signed, Sealed and delivered? The role of negotiated agreements in the UK, Green Alliance, April 2001

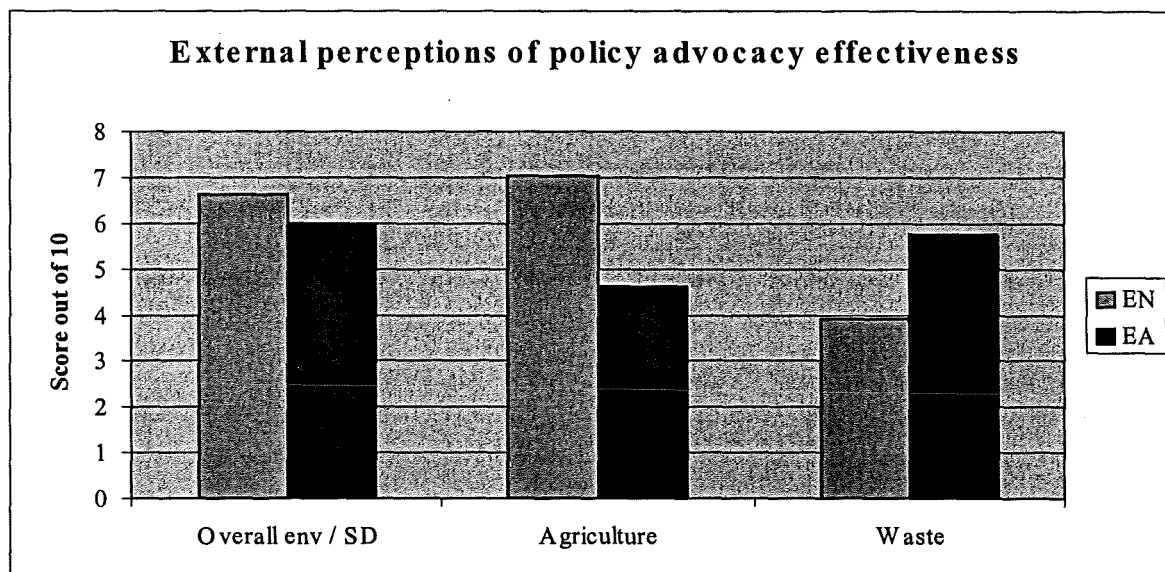
³³ The Agency should be "an independent advisor on environmental matters affecting policy-making, both within Government and more widely". Page 15. The Environment Agency's Objectives and Contribution to Sustainable Development: Statutory Guidance. Consultation Document. DEFRA, January 2002

³⁴ See: 1) Reaching Out: The role of central Government at the Regional and Local Level, Cabinet Office Performance and Innovation Unit, 2000. 2) Sustainable development in the English Regions, Green Alliance / IPPR, 2001. The Greater London Assembly and National Assembly for Wales have come into being since the Agency was established

³⁵ See: Athony Zito - Task Expansion: A Theoretical Overview, Environment and Planning C, 1999, Vol 17, No 1, pp19-35

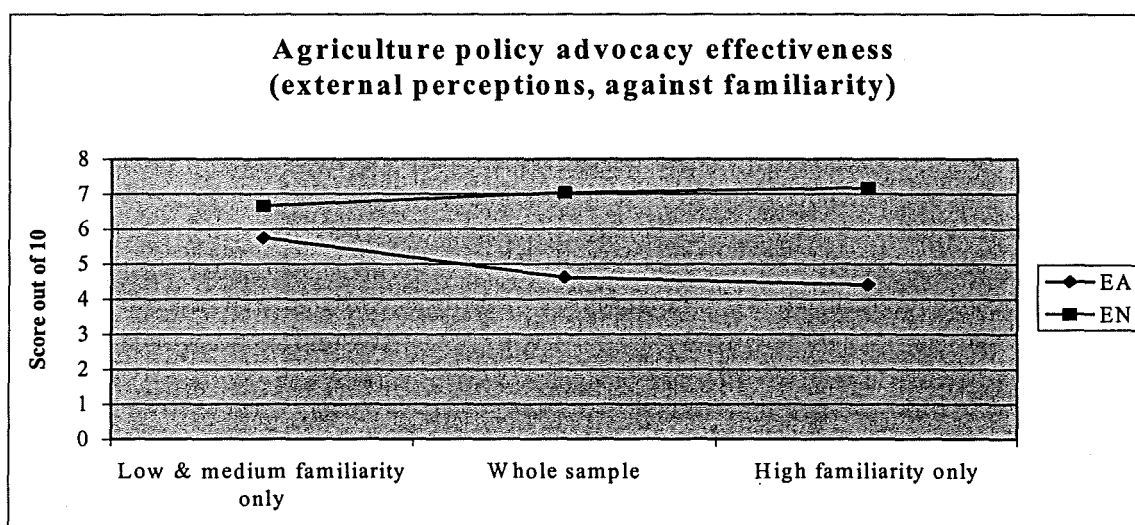
C. Key findings

5 Policy advocacy on: agriculture, waste, and overall environment / SD issues



English Nature policy advocacy is seen as reasonably effective with respect to overall environment / SD policy advocacy, and more so in relation to agriculture. However, this is clearly not the case for waste policy, which can be explained by English Nature's limited interests in waste, and their decision to 'downgrade' it as a policy area. Agency policy advocacy is seen as average, with a low score on agriculture. Several stakeholders attributed low agriculture scores on the basis of the Agency having "limited presence in the strategic policy community" and similarly for English Nature on waste. Specific comments on waste and agriculture are given below and throughout the report (for example, in the sections on expertise and on strategic and technical issues).

5.1 Policy advocacy effectiveness on agriculture



The following Agency comment could explain the overall finding:

"We have been interested in diffuse pollution from agricultural fertilisers / pesticides, soil erosion and watercourses, and landspreading of agricultural waste – but not 'the future of agriculture' and not how our specific interests fit into the overall politics and economics of change. We have only very recently begun to address the big picture. And yet – without the big picture – we are just seen as yet another whinging group, rather than a serious player, engaging in solutions" Agency

As the above graph shows, the gap between English Nature and Agency agriculture policy advocacy effectiveness increases with stakeholders' familiarity with the organisations. In particular, Government / Political stakeholders were "unclear as to the Agency's role in agriculture policy", in contrast to English Nature. Business highlighted improvement by the Agency, whilst NGOs emphasised the Agency's absence from the strategic debate. Comments included:

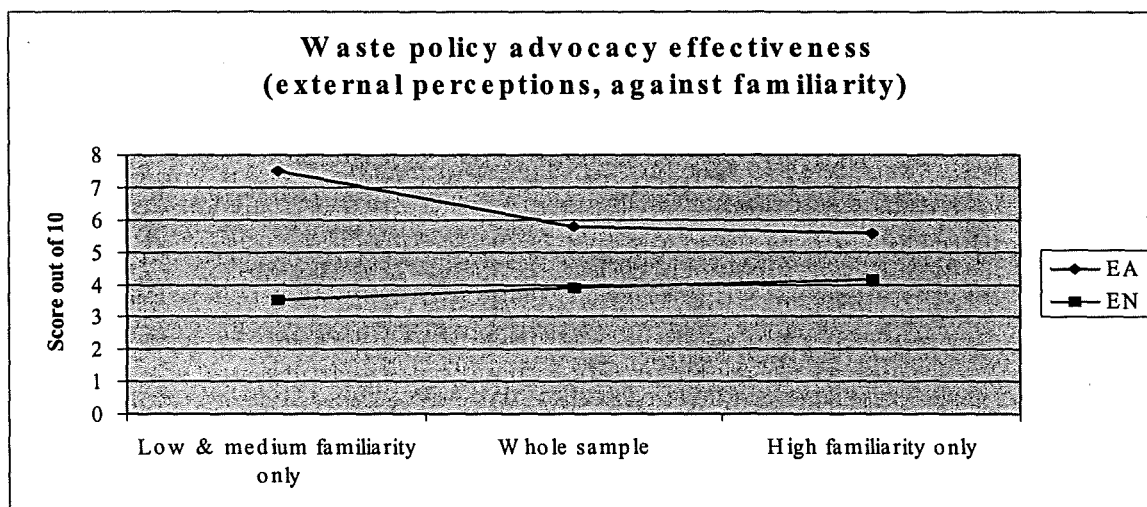
Comment	Sector
I've not come across the Agency on CAP reform or other issues. English Nature, on the other hand, are one of the first organisations across the EU I would call to get advice on key aspects of agriculture policy - e.g. overgrazing	Political*
On CAP reform, English Nature have done thorough, evidence based research, and have run pretty visible campaigns, often jointly with WWF, Birdlife International, Countryside Agency, and the EU nature conservation forum. I'm not familiar with the Agency	Political*
English Nature's report on agricultural diffuse pollution was a thorough contribution to policy – useful to HMT	Political*
The Agency has improved in the last couple of years. Until recently, the Agency confined its engagement to end of pipe regulations. The appointment of Helen Richardson was a good development, indicative of an Agency desire to engage in the broader, more strategic agenda	Business
The new Chairman and Chief Executive are good at the political level. Work on agriwaste though is still too focussed on traditional regulation	Business
The Agency isn't seen as a core policy player, though this is changing. English Nature are much more pro-active in steering DEFRA thinking, for example on agri-environment schemes and on the rural development regulation	NGO
I could name you a team of English Nature people working on agricultural policy advocacy, but only two people at the Agency. The Agency is more focussed on implementation than policy advocacy	NGO
The Agency has focussed on asking: 'how do we prevent slurry getting into water courses?' – despite the fact it's in the Agency's narrow interests to go upstream, into the big picture. For example, CAP reform could have an impact on livestock farming which would then have an impact on pollution to watercourses	NGO

* Political includes Government and EC stakeholders

Both internal and external stakeholders commented that strategic policy advocacy on agriculture was now politically very timely, given:

- The formation of DEFRA, and the opportunities this provides for Government leadership, at both UK and EU level
- The succession of crises in agriculture – e.g. BSE and Foot and Mouth
- The report of the Policy Commission on Food and Farming, the emerging consensus as to the ‘future of the countryside’, and the increased pressure for CAP reform
- EU enlargement will almost certainly necessitate a significant overhaul of the CAP³⁶

5.2 Policy advocacy effectiveness on waste



Overall, Agency and English Nature waste policy advocacy was seen as average and poor respectively. Those less familiar with Agency waste policy advocacy scored the Agency as effective. Significantly, stakeholders from across Government / Politics, Business, and NGOs commented that the Agency was, overall, lagging rather than leading waste policy development:

Comment	Sector
It is appalling that the Agency hasn't made progress on the legal definition of waste and composting standards. The Agency is a drag on progress. On fridges, the Agency ought to have come up with technical solutions	Political*
The waste industry is shifting from a linear focus on landfill to a cyclic emphasis on materials and energy recovery, and Agency policy advice hasn't kept up with the pace of change. The Agency hasn't got enough recycling and composting expertise	Business
The Agency has been foot dragging on composting standards – the Agency has been blocking solutions	NGO

* Political includes Government and EC stakeholders

³⁶ Page 9, Environmental Policy in the European Union, Andrew Jordan (ed)

Other comments centred on the value of agreeing a clear position, of taking a balanced, evidence-based approach, and on the challenge of both improving and defending the policy framework:

Comment	Sector
The Agency often appears muddled. Just recently, I've experienced an Agency Director saying one thing to No.10, whilst – at the same time – the Agency waste function are giving me a different position. This has severely dented Agency credibility. I don't mind the Agency peddling a different line from Government, but it needs to have one line and should stick to it	Political*
The Agency has a solid core scientific capability. Through its policy advice, it can demonstrate itself to be the honest broker that neither government nor business can be. Government wants to be popular and avoid difficult decisions whilst for business, the profit objective compromises values	Business
Agency waste policy advocacy has been very weak. The Agency has been overly defensive over incineration – it's seemed as though the Agency has wanted to defend the status quo. The Agency is more concerned about defending its reputation as a regulator than contributing to policy development	NGO

*Political includes Government and EC stakeholders

However, all Government / Political, Business, and NGO stakeholders aware of the Agency's June – December 2001 waste policy development work commented that it improved their Agency score. As with agriculture, this reinforces the Agency perception that:

"We don't take the helicopter view on waste often enough. We need to start from environmental outcomes" Agency

English Nature's low score can be explained by their decision to 'downgrade' waste as a policy area. Although English Nature has less interests in waste policy than the Agency, a few English Nature staff highlighted some important interests and argued the case for greater policy advocacy activity in this area:

- *"We want to change Government policy on landspreading of waste. To date, it's been deemed to be of environmental benefit and has been an 'exempt activity' – so you don't need a waste license to landspread. Basically, we want an end to the exemption and are calling for change to the duty of care legislation"* English Nature
- *"English Nature policy advocacy needs to be better linked to our on the ground casework. We spend a considerable amount of time on waste casework – commenting on proposals for specific waste sites as part of the planning process – and very little time on strategic waste policy advocacy – i.e. influencing the national waste strategy. We should re-balance our efforts, and focus more on the latter"* English Nature

5.3 Policy advocacy effectiveness on overall environment / SD issues

Average external score (out of 10, mean)	Low & medium familiarity only	Whole sample	High familiarity only
EA	6.5	6.0	5.9
EN	6.5	6.6	6.6

Overall, both the Agency and English Nature were regarded as reasonably effective policy advocates for sustainable development. However, some stakeholders regarded English Nature as more effective, although it was identified that “English Nature has an easier job, as it has a narrower remit”. Comments included:

Comment	Sector
The Agency SD Unit – including economics – is highly regarded by Government. The Vision is good. That said, if ‘Making It Happen’ is meant to be making the Vision happen, it sure as hell ain’t. If you’re serious about quality of life, you don’t restrict yourself to navigation and recreation	Political*
Agency people have often been very quiet in strategic policy seminars and public gatherings, maybe because there were no formal policy positions, so they didn’t feel they could speak out	NGO

*Political includes Government and EC stakeholders

Business, Government, and NGOs agreed that a key Agency strength was its ability to be “impartial”, “balanced”, and to “base advice on evidence, for example the State of the Environment monitoring work”. In terms of English Nature, several stakeholders identified improvement:

Comment	Sector
English Nature policy advocacy has improved greatly in the last couple of years. They used to be a bunch of scientific anoraks	Business
English Nature policy advocacy has improved dramatically over the last few years – in terms of focus, effectiveness, and willingness to work with partners	NGO

*Political includes Government and EC stakeholders

English Nature staff highlighted the development of ‘sector analyses’ (outlining the nature conservation impacts and policy context of different sectors – e.g. waste, construction), alongside the appointment of specific staff as ‘sector leads’ as a key organisational development that has improved advocacy effectiveness.

6 Policy Integration

Comment	Sector
The Agency can really help join up Government – working across Government department silos	Business
I don't rate English Nature highly in terms of integrating the socio-economic / political dimension	Business
Overall, the Agency's weakness is a failure of integration. The ex-NRA bits seem to function much better in policy advocacy	NGO
The Agency work on sustainable development needs to be better integrated with its regulatory functions	Agency
We need to get better at joining up. We need to think more about how diverse policy initiatives impact on our activities	English Nature

*Political includes Government and EC stakeholders

Several stakeholders argued for better policy integration, which is consistent with the **Modernising Government** agenda, which calls for: “consulting outside experts, **those who implement policy** and those affected by it **early in the policy making process** – so **we can develop policies that are deliverable from the start**.”³⁷

Linked to Modernising Government is the **Local Government Act 2000**, which places local authorities under a duty to prepare a community strategy. The Agency is committed to contributing to all community strategies, in line with Government guidance issued to local authorities³⁸. This is potentially a key opportunity for Agency and English Nature policy advocacy, in terms of both:

- The implementation stage of the policy cycle – i.e. enabling more effective joined up local delivery
- The problem identification and solutions stages of the policy cycle – i.e. enabling options for improving the effectiveness of joined up action on the ground to be fed back to EU, UK and devolved Government policy makers

The establishment of key central Government cross-cutting Policy Units – notably the Cabinet Office **Performance and Innovation Unit (PIU)**, the Regional Co-ordination Unit (RCU) and the Social Exclusion Unit (SEU) – also provide for new policy advocacy opportunities with Government³⁹. Indeed, PIU engagement in waste and resource productivity – policy areas of core interest to the Agency – has already enabled the organisation to establish an effective working relationship with the PIU⁴⁰.

³⁷ Paragraph 6.4, page 16 (emphasis added). Modernising Government White Paper, Cm 4310, March 1999

³⁸ Draft guidance to local authorities was issued by the DETR

³⁹ Note also the Neighbourhood Renewal Unit, based in DTLR and the Sustainable Development Unit, based in DEFRA. The RCU was established as the Headquarters function of the GO network in 2000, as a result of the Performance and Innovation Unit (PIU) report 'Reaching Out - The Role of Central Government at Regional and Local Level'. It is an interdepartmental unit that, since the 2001 General Election, is located in the Deputy Prime Minister's Office.

⁴⁰ The Agency inputted to the PIU resource productivity project, involved PIU staff in the Agency's waste policy advocacy process, and is represented on a key advisory group in the subsequent PIU waste project.

In addition, the Agency has identified opportunities to link its urban interests in with the work of the DTLR Neighbourhood Renewal Unit and the Prime Minister's specific interests in 'liveability'⁴¹, and thereby to deliver benefits to both policy and practice.⁴²

The Agency has identified that "regional political relationships tend to be carried out in isolation, and arrangements for learning from previous experience are weak"⁴³. To move forward then:

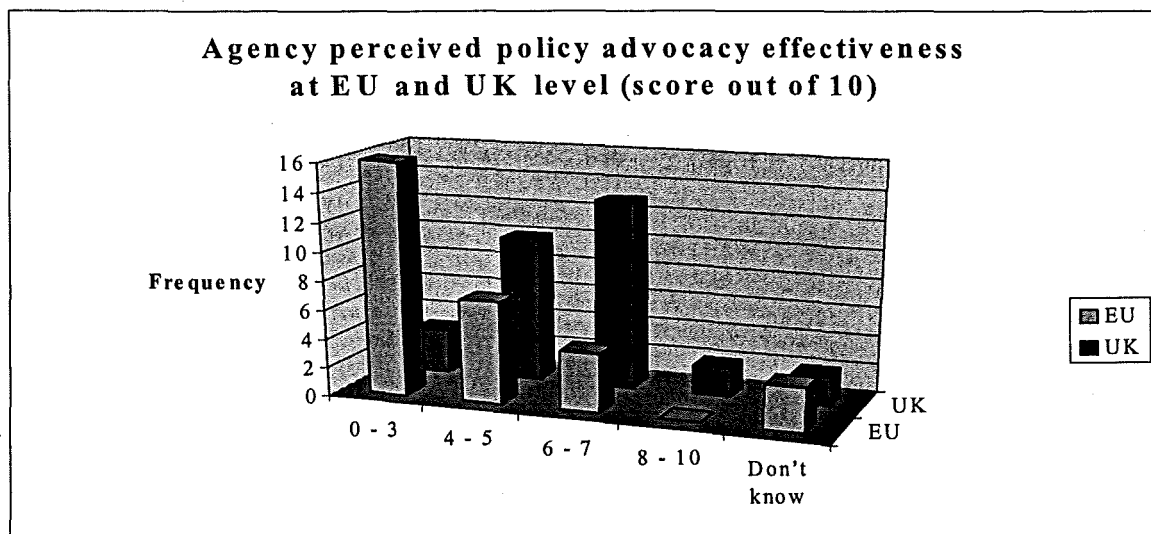
BOX 1: Regions and Areas could periodically report back to Head Office on their use of corporate position statements, to assist co-ordination and learning.

⁴¹ Speech by Tony Blair on 'liveability', 24 April 2001

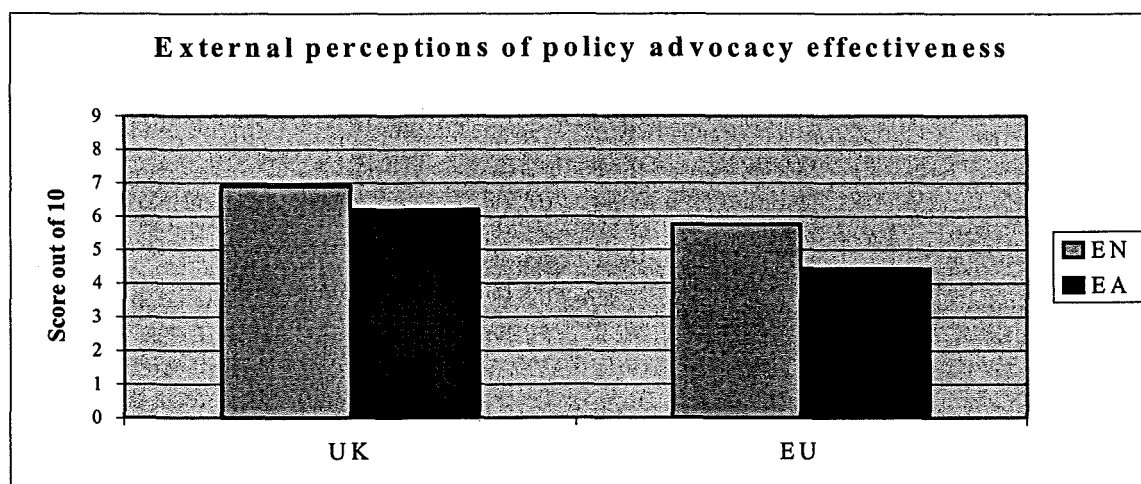
⁴² Social Deprivation and the Environment: Paper by the Director of Water Management for the Policy Steering Group. November 2001

⁴³ Noted in Political Influencing Strategy Discussion Paper by Head of Parliamentary and Government Relations, April 2000

7 Policy advocacy at EU and UK level



External perceptions of Agency and English Nature policy advocacy effectiveness confirm the Agency view of a particular Agency weakness at EU level, and a degree of “absence from the EU policy community” (Government / Political). Both organisations were seen as reasonably effective at UK level influencing.



This finding is consistent with comments from Agency and English Nature staff:

- “We haven’t put much effort in to influencing at EU level” Agency
- “We haven’t been active at EU level over the last 2 years and we should have been” Agency
- “We’re work closely with WWF and RSPB at EU level and we led – with RCEP – the establishment of the EU advisory councils network of statutory environmental bodies. Through JNCC – comprising nature conservation agencies for England, Wales, Scotland, and Northern Ireland – we now have a Brussels office” English Nature

- *"We do a lot of effective EU policy relevant research in partnership – for example, with the Dutch Institute for Agricultural Economics"* English Nature

External stakeholders gave the following reasons were given for scoring English Nature more highly at EU level:

Comment	Sector
I've not come across the Agency on CAP reform or other issues. English Nature, on the other hand, are one of the first organisations across the EU I would call to get advice on key aspects of agriculture policy - e.g. overgrazing	Political*
The European Commission talk about English Nature's views with me. They never mention the Agency. The only time I meet the Agency is in formal groups	Business
English Nature has driven the agenda of the European Advisory Council of statutory environmental bodies. They've been an effective policy facilitator	NGO
English Nature have led various EU seminars through the Land Use Policy Group. Seminars on livestock policy and cross-compliance were two good examples	NGO

*Political includes Government and EC stakeholders

Moreover, many key stakeholders – in Government / Politics, Business, and NGOs – were much less familiar with the Agency at EU level compared to English Nature, commenting that the Agency has limited presence in relevant EU policy communities:

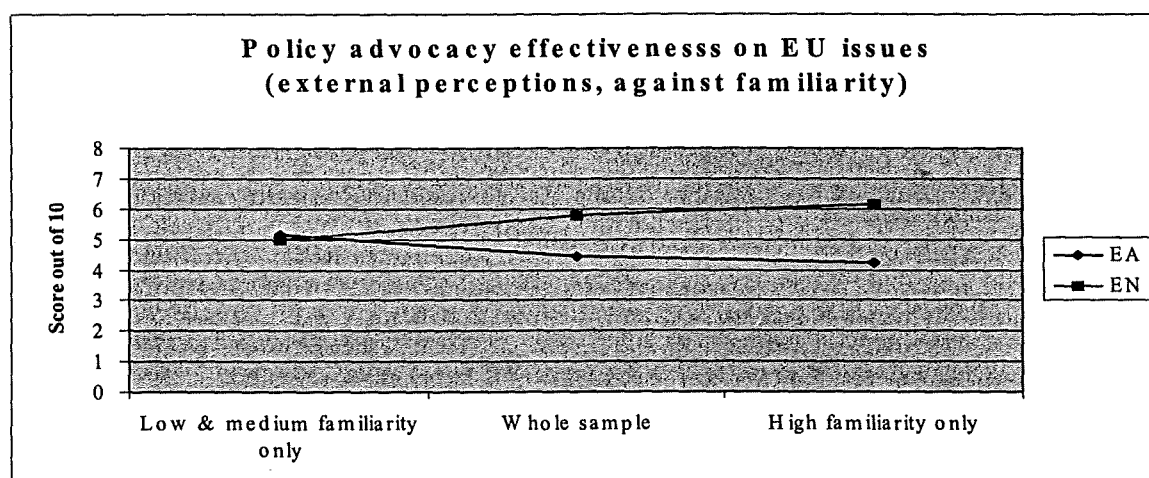
Comment	Sector
The Agency has very little contact with EU policy people	Political*
I've not had any experience of the Agency making any contribution in terms of EU policy making	Political*
I don't see Agency people in the EU stakeholder meetings that I've been going to over the last 7 years	Business
My contact with the Agency has always been at UK level – e.g. IWM / ESA conferences. I have very rarely come across the Agency at EU level	Business
I don't even know whether the Agency has an opinion on the End of Life Vehicles Directive. This is just typical	NGO
You don't hear people referring to Agency views in Brussels. English Nature are definitely good at EU level – they're there in all the right committees	NGO

*Political includes Government and EC stakeholders

At UK level, only a very slight difference (which may not be significant) was perceived between Agency and English Nature policy advocacy effectiveness:

Policy advocacy effectiveness at UK level (External perceptions)			
Average external score (out of 10, mean)	Low & medium familiarity only	Whole sample	High familiarity only
EA	6.8	6.2	6.1
EN	6.7	6.9	7.0

However, as the following graph shows, those stakeholders more familiar with the Agency and English Nature perceived more of a gap between the organisations' EU policy advocacy effectiveness:



Significantly, Agency opinion is divided on EU engagement, with some staff calling for much greater influencing of EU policy, whilst others argue that Agency EU engagement should be limited to “when DEFRA decide to include Agency representatives in EU negotiations”. However, in addition to the formal negotiations, the Agency could also play an influential role in *agenda setting* – as one business stakeholder put it: “If you’re not active at EU level before things get to draft directive stage, then you’ve missed the boat”.

This role is explored further within the section on specific examples, which includes the agenda setting work – conducted by the NRA and others – which led to the development of the Water Framework Directive.

7.1 EU level engagement beyond DG Environment

In addition to communicating with DG Environment, stakeholders highlighted the value of influencing the European Environment Agency, other European Commission Directorates, UKREP, and other countries:

Comment	Sector
If the Agency is doing its job well, it is feeding into the European Environment Agency (EEA). We rely very much on the EEA for key information	Political*
English Nature should talk more with DG Budget on CAP reform	Political*
English Nature have made good efforts with the EU accession countries. They could do even better by further broadening their EU seminars to include France, Spain, Greece, Portugal, Luxembourg, and Ireland	Political*
Both organisations have very little contact with UKREP. It's worth talking with UKREP directly, as UKREP influence the UK position when it is being drawn up in London and also during the EU negotiations in Brussels. WWF, NFU, RSPB, and the RDAs all seek to influence UKREP directly	Political*
Unlike English Nature, I've never heard of the Agency engaging with DG Agriculture, DG Regional Policy, or DG Health & Consumer Protection. And I've never heard of either organisation engaging with DG Enterprise or DG Employment. To some extent, they should engage all these DGs to be effective	Business

*Political includes Government and EC stakeholders

One Government / Political stakeholder raised the issue of **policy styles**, arguing that the UK 'evidence based' style is more effective with European Commission officials:

Policy style	Description and perceived origin	
1. Ideological	Everything is based on a set of axioms.	Southern Europe
2. Campaigning	Very 'black and white' style campaigning based on a perceived catastrophe. 'Noisy' issues that make press headlines get prioritised. Can achieve something politically without presenting a single sound argument.	Germany
3. Evidence based	A set of problems is observed. Through a constructive consultative policy process, a balanced options appraisal of different policy solutions is carried out, on the basis of the available evidence.	UK

A substantial body of academic literature supports this stakeholder in raising the issue of nations' dominant policy styles. Studies by Richardson⁴⁴ for example suggest that the dominant UK policy style is to avoid electoral politics and public conflict in order to reach consensus or 'accommodation', which is consistent with the above stakeholder account. Clearly though, the choice of preferred policy style might be expected to vary according to audience (European Parliament, European Commission officials, UK Parliamentary Select Committees, senior civil servants etc). This suggests an effective influencing strategy would need to adapt language and style to each key audience.

⁴⁴ Richardson J. (1982) (ed.), Policy styles in Western Europe

7.2 The expansion of EU environment policy

The Agency's policy advocacy weakness on EU issues is a significant concern, as the Agency is the competent authority of some 50 EU environment directives, and is currently implementing around 8 new EU initiatives a year.⁴⁵ Establishing an increased presence in EU policy development could also be politically timely, given the emergence of the **EU White Paper on Governance**, which proposes to open up the EU policy-making process.⁴⁶ Moreover, 12 of the Agency's 21 Vision key targets are set at EU and international level⁴⁷, and there is a growing *Europeanisation* of environment policy:

	1958-72	1973-86	1987-92	1993-95	1995 alone
Number of laws adopted ^a	5	118	82	60	5
Average number of laws adopted per annum	0.3	8.4	13.7	20	5
Total number of laws adopted ^b	9	195	192	144	28
Average number of new and amended laws adopted per annum	0.6	13.9	32	48	28

^a Regulations, directives and decisions only

^b Including amendments and elaborations

Source: McCormick⁴⁸

In addition, as the Agency noted in its response to the European Commission consultation on the **EU 6th Environmental Action Programme**, there is an important need in the Commission to strengthen cross-compliance capabilities. For example, it is unclear exactly how the Directive on Integrated Pollution Prevention and Control (IPPC) will relate to Directives such as those on the landfill of waste, national air emissions ceilings, the revision of the large combustion plants directive and the eventual introduction of an EU-wide CO₂ emissions trading scheme.⁴⁹ The Agency can play an important role in advising on options for better cross-compliance.

⁴⁵ Update on Forthcoming EU Environment legislation: Implications for the Agency. Paper by the Director of Corporate Affairs, 13 March 2001

⁴⁶ Page 3, European Governance – A White Paper. CEC Brussels 25.7.2001 COM(2001) 428 final

⁴⁷ Key targets, page 26. An Environmental Vision – *The Environment Agency's Contribution to Sustainable Development*. Environment Agency, 11 January 2001.

⁴⁸ Page 195, 'Environment Policy: Deepen or Widen?' in *The State of the EU Volume 4: Deepening and Widening*, Laurent, P H and Maresceau, M (eds)

⁴⁹ The Environment Agency's response to the European Commission's proposal for a Community Environment Action Programme 2000-2009

7.3 Moving forward: Comparative EU research

It is notable that the EU 6th EAP supports a name, shame, and fame approach in relation to compliance with legislation.⁵⁰ While this has a role to play, the Agency has called for more dispassionate, comparative reviews of differing national approaches to the implementation of EU environmental Directives, more for the purpose of shared policy learning rather than assessment of legal compliance. Agency Chairman Sir John Harman has highlighted this difference in a recent meeting with EU Commissioner Margot Wallstrom.⁵¹ Other Agency interviewees also underlined the potential to learn from other countries:

"We hadn't a clue how other EU member states were going to implement the Landfill Directive. And then our tolerance finally broke with the new agriwaste regulations. We asked DEFRA: 'What are they doing in Denmark and Holland?'. The reply we got was: 'We don't know and it would be embarrassing to ask, as it's too late now'. I think it's healthy to ask – and so now we're organising a conference with the French, German, and Dutch EPA equivalents. We should have been in the EU over the last 2 years." Agency

Stakeholders agreed on the need for comparative research:

Comment	Sector
European Commission assessments are basically carried out to ease the passage of EU Directives. I question their robustness. In context of EU enlargement, we've now got a whole load of poor countries who are expected to comply but don't have the capacity. So we need robust impact assessments of EU Directives for all member states. The Agency and English Nature have a role to play in helping deliver such assessments	Political*
The European Environment Agency has done some good comparative research, for example on green taxes across the EU. But there's still an information deficit about best practice across the EU	NGO

*Political includes Government and EC stakeholders

Other Government / Political interviewees noted that they rely on the Agency for intelligence on how different EU member states are implementing EU policy, as official EU member state Government sources would not want to be seen to be admitting policy failure. The value of such Agency intelligence is also highlighted in the *DEFRA – Environment Agency Memorandum of Understanding on the Handling of International Activities*, a document which has legal basis under sections 37(3) and 37(4) of the 1995 Environment Act⁵².

⁵⁰ Communication (s2.1). The Sixth Environment Action programme of the European Community 2001-2010

⁵¹ Noted in "Update on Forthcoming EU Environment legislation: Implications for the Agency". Paper by the Director of Corporate Affairs, 13 March 2001. Position taken from: The Environment Agency's response to the European Commission's proposal for a Community Environment Action Programme 2000-2009

⁵² The Agency may only provide advice or assistance, under section 37(3) of the Environment Act, to persons outside the UK where it has written Ministerial consent to do so. A general consent has been issued

BOX 2: To move forward, the Agency could itself initiate a number of comparative reviews between EU countries – some focussed on differing national approaches to the implementation of specific EU environmental Directives, others on the challenge of delivering an integrated approach with respect to thematic policy priorities (e.g. agriculture, waste). Funding options include:

- Agency R&D money (consistent with refocusing R&D towards more policy relevant analysis)
- Building on current bids for additional up front Grant In Aid (G.I.A.) for Agency input to EU policy formulation⁵³
- EC funding via the 6th Framework Programme (for FP5, the Agency contributed £1m, and thereby gained influence over £23m of collaborative projects⁵⁴)
- Working in partnership on policy specifics, for example with other EU member state EPAs and Local Government International Bureau equivalents on Landfill Directive implementation, or focussing still further – for example on tyres
- Working in partnership on policy themes, by twinning the Agency's 'joining up' regional pathfinder work with similar activity on thematic policy priorities in other EU member states, perhaps through the European Environment Agency, which has an established record in looking at policy themes, for example on renewable energy⁵⁵

7.4 Moving forward: Relationship with DEFRA on EU issues

English Nature staff argued that English Nature has become more of a policy influencing organisation whilst maintaining an effective relationship with the Government Department:

- *"In 1994 we made the strategic decision that we had to be in the EU. When we set up a Brussels office with JNCC the Department were very worried about it. Now DEFRA use English Nature in the EU. There's been a fundamental turn around by the Department"* English Nature
- *"About 5 years ago we weren't allowed to go to the EU and Government was worried about English Nature disagreeing with the official Government line. Now we've built up trust with the new Labour administration, working closely with the Department on key contentious issues such as GMOs"* English Nature
- *"I don't clear and I don't have to clear positions with DEFRA in advance of sending them to Brussels"* English Nature

to the Agency – The Memorandum of Understanding between the DOE and the Environment Agency on the Handling of International Activities., 28 January 1997

⁵³ Noted in "Update on Forthcoming EU Environment legislation: Implications for the Agency". Paper by the Director of Corporate Affairs, 13 March 2001

⁵⁴ "New research opportunities for the Agency in Europe – The 6th Framework programme". Note by Kim Thomas, Agency R&D Unit

⁵⁵ Renewable energies: success stories. EEA, Copenhagen, 6 December 2001. The report focuses on how much each EU country managed to expand its use between 1993 and 1999 of a number of renewable energy technologies, and the supporting policy drivers and mechanisms in place in each case.

Stakeholder comments were consistent with this view, indicating that English Nature has a better relationship with DEFRA than the Agency:

Comment	Sector
English Nature have a better relationship with DEFRA. For example, take the proposed Environmental Liability Directive – English Nature were included in the ‘Ministerial write round’ whereas the Agency was not, yet it is an area of core interest to the Agency	Political*
DEFRA quite jealously guards its policy role, shutting out the Agency, and I don’t think it does the UK any good at EU level	Political*
There isn’t a clear and transparent allocation of roles and responsibilities between the Agency and DEFRA with respect to influencing EU policy	Business

*Political includes Government and EC stakeholders

Business emphasised that UK effectiveness at EU level could be improved through greater use by DEFRA of Agency technical policy advice:

Comment	Sector
DEFRA don’t use Agency technical expertise sufficiently at EU level	Business
Speaking with EC desk officers, I’m aware that sometimes numbers are plucked out of the air. The Agency can help provide more evidence based policy	Business
DEFRA are poorly informed on implementation practicalities, cost issues, and available technology. The Agency could substantially enhance UK effectiveness in EU negotiations	Business

*Political includes Government and EC stakeholders

Moreover, such views are widely held and are not new – a 1992 study for the National Rivers Authority⁵⁶ (also based on interviews with key stakeholders across the policy community) concluded:

- DoE fails to consult fully the range of different UK interests and to build consensus on UK positions in EC negotiations
- DoE does not draw enough on UK technical expertise

However, looking forward, both the Agency and DEFRA have now recognised that, as a stakeholder with the ultimate responsibility for implementing policy, “there is a strong case for earlier and better involvement of the Agency on policy development in general, and on specific topics such as EU negotiations in particular”.⁵⁷ In this way, a more systematic analysis can be made of the likely effectiveness of different options and approaches.

As the EU 6th Environmental Action programme itself notes, informal organisations such as the EU network of environmental inspectorates (IMPEL) can also make an important

⁵⁶ Options for European Community Involvement. Study for the National Rivers Authority, Bruce Naughton Wade, March 1992

⁵⁷ Paragraph 2.6.3.2, Page 25, DEFRA Environment Agency FMPR Stage 1 report, August 2001

policy contribution.⁵⁸ DEFRA has also recognised the value of IMPEL, for example with respect to minimum inspection criteria.⁵⁹ Moreover, significant opportunities for change now do exist, as DEFRA are becoming more internationally focussed and are establishing a new European Environment Division (EED) within the Environmental Protection Strategy Directorate (EPSD).⁶⁰

However, as the following comments indicate, it is important not to gloss over the degree of change required in both the Agency and DEFRA:

Comment	Sector
On EU issues, the normal approach is that I'll email something to the Department and they then take forward the negotiations. On the occasions when Agency experts are invited to the negotiating table, the general rule is that we only speak when invited to by the DEFRA official, so the formal route gives the Agency very limited influence. We also need to play the more informal policy games, via direct networking and secondments	Agency
There was a time when IMPEL meetings were policed – DEFRA would send someone to mind the Agency. Equally bizarre though is this Agency view that 'Brussels is a long way away', and the fact that you have to get a Director's signature to go there. Culturally, that says a lot about our attitude to the EU	Agency
DEFRA needs to get the Agency involved right up front in policy design. But I'd say there's a 50/50 split in DEFRA on this view	Political*

*Political includes Government and EC stakeholders

As several Government / Political stakeholders were keen to emphasise, the key for the Agency may be keeping to the "no surprises rule" and more generally, knowing "when and how to take an independent line":

Comment	Sector
We rely on the Agency using its IMPEL network to find out what's really going on in other EU member states. This is helpful	Political*
As long as we know what the Agency is saying, I don't mind the Agency going on its own to the European Commission	Political*
Agency facilitated EU seminars, involving other EU member state EPAs, would be a useful and helpful way of contributing to policy	Political*
It would improve UK effectiveness at EU level if the Agency was formally classified as the national focal point for European Environment Agency liaison, either on its own or, at the very least, in addition to DEFRA	Political*

*Political includes Government and EC stakeholders

⁵⁸ Decision articles 2(10) and 9(1), The Sixth Environment Action programme of the European Community 2001-2010

⁵⁹ Section 3.2, Joint Planning by DEFRA and the EA of the Implementation of EU Environmental Protection legislation. Draft document. DEFRA EA Sponsorship and Review Division, September 2001

⁶⁰ Section 3.2, Joint Planning by DEFRA and the EA of the Implementation of EU Environmental Protection legislation. Draft document. DEFRA EA Sponsorship and Review Division, September 2001

BOX 3: The FMPR review acknowledged the value of the Agency's policy advice role on EU issues⁶¹. However, both Agency and Government / Political interviewees commented that it would be helpful for the Agency and DEFRA to develop a clearer shared understanding of the Agency's role in this area.

A useful mechanism for doing this could be to **review with the Environment Minister the 1997 Memorandum of Understanding between the DOE and the Environment Agency on the Handling of International Activities**, which states that the Agency should always follow the official UK line, as if it were a part of central Government⁶². Such a review would be timely given the new section (4) statutory guidance, and could improve clarity as to:

- when the Agency is obliged to hold to the official UK line (for example, in formal EU negotiations alongside its sponsors)
- when the Agency is entitled to express its own views on EU issues (for example, in EU consultation responses, or in seminars involving EU stakeholders)
- the scope for the Agency to be formally classified as national focal point for European Environment Agency liaison, either on its own or alongside DEFRA

7.5 Ministry – Agency relationships across the EU & the future of IMPEL

Ministry – Agency relationships across the EU

One Government / Political stakeholder identified four types of Ministry – Agency relationships with respect to influencing EU policy:

⁶¹ Paragraphs 26.3.2-2.6.3.3, page 25, DEFRA Environment Agency FMPR Stage 1 report, August 2001

⁶² Paragraphs 4.3-4.4. Memorandum of Understanding between the DOE and the Environment Agency on the Handling of International Activities, 28 January 1997

Description of country situation	Implications for IMPEL & EU policy	Example countries	More country specific observations
1. Implementation is done by the Ministry, enhancing ability of Ministry to influence EU environment policy	Supportive of IMPEL contributing more to EU policy development.	France	Policy and implementation brought together. French Ministry has regional offices which do much of the implementation done in England and Wales by the Environment Agency
2. There is a strong sense of devolution, enhancing ability of devolved bodies to influence EU environment policy	Supportive of IMPEL contributing more to EU policy development	Germany Austria Netherlands	Policy and implementation brought together. In Germany, much policy making power is devolved from the Federal Government to the Lander, which are also responsible for implementation / enforcement and are accountable electorally. People from the Lander get involved with IMPEL. Netherlands has emphasised that they see part of the problem of EU policy as being that the practitioners haven't been involved in the design of policy.
3. Centralised policy making with Government Agencies responsible for implementation. Policy in the Agencies also centralised, despite the existence of regions / areas	Both Government and the Environment Agency have been critical of IMPEL contributing more to EU policy development, seeing this as the role of central Government.	UK	Policy and implementation split. Environment Agency is not accountable electorally, unlike local authorities and central Government.
4. Policy centralised in Ministries to some extent, but Government Agencies play more of a policy role than in UK as the Ministries are smaller	-	Denmark Sweden	In Denmark, electorally accountable local authorities are the competent body for many environmental inspections.

The account of different Ministry – Agency relationships illustrated in the table above suggests:

- Splitting policy responsibility from implementation responsibility tends to weaken national effectiveness in influencing EU environment policy
- Where responsibility for policy and implementation have been brought together, countries are more supportive of a stronger policy influencing role for IMPEL
- When those responsible for implementation are also accountable electorally, implementation issues feature more strongly in national contributions to EU policy

BOX 4: However, in order to make more firm conclusions, the Agency could:

- **Conduct research with SEPA, DEFRA and other Government departments to consider the merits and disadvantages of the different Agency – Government arrangements across Europe. The implications of each institutional framework / arrangement for both EU policy influencing and EU policy implementation could be considered, and options to enhance UK effectiveness on EU issues could then be identified**

Future of IMPEL

It was highlighted that IMPEL – the European network of environmental inspectorates – is currently heavily focussed on implementation, and would therefore have to undergo significant change in order to make more of a contribution to EU environment policy:

Perceptions of IMPEL policy influencing role: Current and future	
Current situation	2020: Future situation?
<ul style="list-style-type: none"> • IMPEL an informal network. IMPEL has no budget of its own and can't pay salaries. • IMPEL Co-ordinator currently paid for by Environment Agency and sits as a "detached national expert" in the legal unit of DG Environment • IMPEL focus is on implementation and not EU policy development. The exception to this has been work on the Aarhus Convention – seen as helpful by EC, but UK Government thought IMPEL's role was inappropriate • EC and European Parliament would like a stronger, more formalised, policy role for IMPEL – funded by the EC. Member state Governments worried about ceding power to IMPEL • IMPEL has no interest in water, ignores impact of industrial activity on nature, and is only starting to show interest in land issues. Mostly concerned with emissions to air from major industry. 	<ul style="list-style-type: none"> • Stronger, more formalised, policy influencing role for IMPEL – funded by the EC • More holistic IMPEL, in context of sustainable development – interested in integrated environmental protection across air, land, and water • IMPEL interested in impact of industrial activity on nature, driven by concerns of EU accession countries keen to preserve their biodiversity

The account of IMPEL's policy influencing role in the table above suggests that possible change to IMPEL could have significant implications for Environment Agency policy advocacy effectiveness and moreover, UK effectiveness, in terms of influencing EU environment policy.

BOX 5: The Agency could, in partnership with the European Environment Agency and others, conduct research exploring how EU Environment Protection Agencies (EPAs) could be better networked to enhance their contribution to EU policy and thereby improve the effectiveness of EU policy development

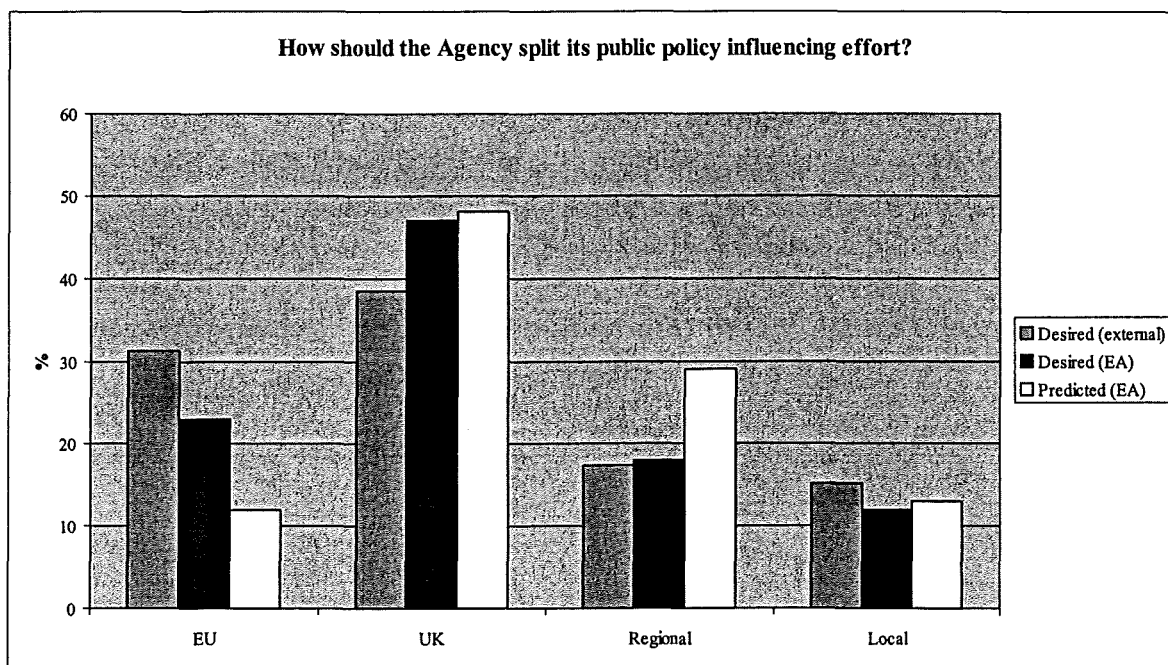
7.6 Devolution

Since 1997, UK Government has taken some significant steps with respect to devolution. The establishment of the Scottish Executive, National Assembly for Wales, Greater London Assembly, and the RDAs has marked a loosening of the centralised hold on

power and a shift towards a more regionally focussed approach to policy delivery.⁶³ The Agency and English Nature have had to adapt to this institutional and governance change. For the Agency, which identified devolution as a key 'complex issue' in its Vision⁶⁴, this has involved close working with the RDAs to ensure a strong environmental component within the regional economic strategies, in many cases being closely involved in the development of the **Regional Frameworks for Sustainable Development**.⁶⁵

The Agency can play an important role at the regional level in terms of both policy and practice, including through influencing use of EU structural funds, which are delivered at the regional level. In addition, the Agency and English Nature have the opportunity to influence the agendas of the RDAs and Welsh Assembly, which have their own programme of UK and EU policy advocacy, with offices in Brussels and strong links to Whitehall (the Regional Co-ordination Unit is based at the Cabinet Office). Furthermore, MEPs are now elected to support a region rather than a constituency, and the **White Paper on House of Lords reform** proposes that 120 members will be elected to represent the nations and regions.⁶⁶

However, despite the devolution that has taken place, the evidence from interviewees – from Government / Politics, Business, NGOs and within the Agency – is that the Agency's policy advocacy may now be too focussed on influencing at the regional level and not enough at the EU level:



⁶³ Sustainable development and the English Regions. IPPR and Green Alliance, Chris Hewett, 2001

⁶⁴ Page 8, Complex Issues, An Environmental Vision – *The Environment Agency's Contribution to Sustainable Development*. Environment Agency, 11 January 2001.

⁶⁵ Towards a social policy framework for the Environment Agency – Version 1.2, 21 September 2000, John Colvin, Social Policy Manager

⁶⁶ "The House of Lords – Completing the Reform" White Paper, Cmd 5291, 7 November 2001

In the graph above, “Desired (external)” represents the aggregate view of external interviewees, and “Desired (EA)” the Agency perspective. “Predicted (EA)” is the Agency view of what will be in place given the Better Regulation Improving The Environment (BRITE) organisational changes. The following comments expand on the quantitative findings:

Comment	Sector
We’re doing a lot of stuff regionally at the moment. I’m not convinced it has any impact at all. It’s very frustrating – because local government / business leaders will only listen to central government. One conversation with a Minister will have more impact than much local or regional influencing	Agency
Regional policy isn’t that important at the moment. The Agency shouldn’t invest too much in influencing policy at the regional level. Policy is largely agreed and financed at EU / UK level, and implemented at regional / local level	NGO

*Political includes Government and EC stakeholders

The NGO comment may reflect as much an emphasis on agenda setting as opposed to implementation as it does the importance of influencing at the regional level. Nevertheless, if the Agency wishes to take on more of an agenda setting policy influencing role, it may need to increase its investment in influencing at EU level.

The aggregate view at English Nature was that they also needed to invest slightly more at EU level. However, having perhaps had less a focus on regional policy than the Agency in the past, English Nature staff also argued for slightly more emphasis on influencing at regional level, in order to integrate nature conservation issues more into regional sustainability frameworks, regional rural development plans, regional economic strategies, and regional planning guidance.

Significantly, **English Nature has recently re-aligned its regional boundaries to fit regional government boundaries**, arguing that “this has improved our influencing effectiveness at regional level”. Whether or not regional influencing effectiveness has improved, the fact remains that there exists an organisational emphasis on policy influencing within English Nature. By contrast, the Agency has maintained its regional boundaries as defined by river basins, which is consistent with an Agency emphasis more on operations rather than policy influencing.

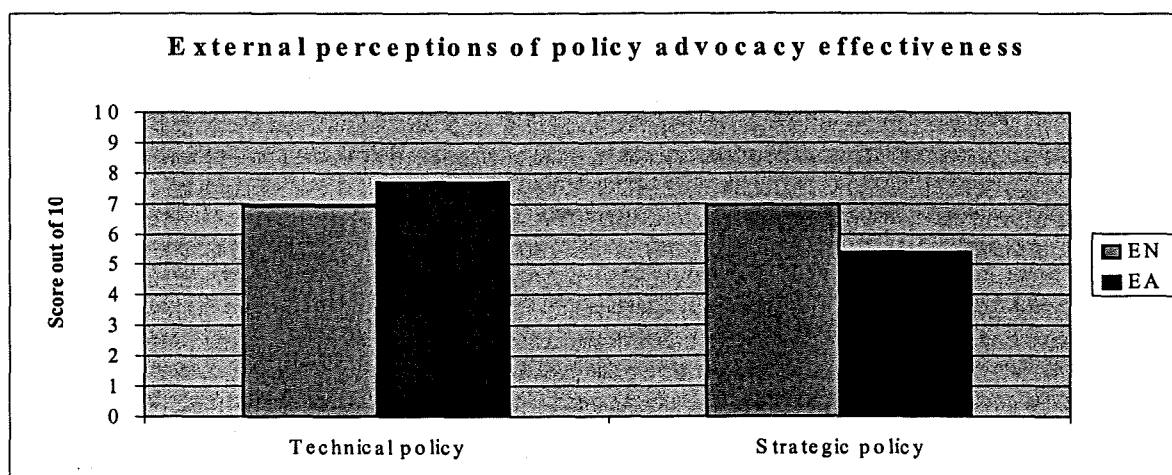
BOX 6: To move forward, the Agency could:

- **raise the opportunity for a number of secondments to the Head Office Policy Unit for those working on regional policy influencing, and for further secondments between the Agency and the European Commission and other EU member state EPAs**
- **explore wider opportunities to include the EU dimension more in Head Office thinking and to better link the Agency’s regional influencing work with Head Office policy advocacy**

8 Policy advocacy on technical and strategic issues

Both internally and externally, there was a widespread view that the Agency's strengths lay in technical and operational policy advice and not in forming an opinion on strategic issues. Agency comments included:

Strengths	Weaknesses
<ul style="list-style-type: none"> “Agency technical policy advice and emergency operations. These have boost our reputation within Government. On Foot and Mouth, we were involved directly with Cabinet Office in decision making and operational policy. We were able to influence the way carcasses were disposed of.” 	<ul style="list-style-type: none"> “Having to produce the overall policy positions has been like getting blood out of a stone. It's been very difficult for the Agency.” “We're too dependent on Barbara Young and Sir John Harman for our strategic policy advocacy.”



Stakeholder comments confirmed high regard for Agency technical policy advice, given the organisation's practical operational experience and expertise:

Comments on Agency technical policy advocacy effectiveness	Sector
There's a lot of scientific integrity behind the Agency's technical advice. When probed by policy people, Agency advice can be very useful	Political*
The Agency is a valuable technical resource – it has brought together technically expert people in a critical mass	Political*
The Agency has been very good at technical detail, backing up statements with scientific and practical arguments	Business
The Agency was influential on the handling of Foot and Mouth, but this is operational policy rather than strategic policy	Business
The Agency has had significant influence on technical issues where it has had hands on implementation responsibilities	NGO

* Political includes Government and EC stakeholders

However, stakeholders regarded Agency policy advocacy as considerably weaker on strategic issues:

Comments on Agency strategic policy advocacy effectiveness	Sector
The Agency is not very good at recognising the Government's meta-narratives, for example urban regeneration	Political*
Agency staff find the big picture difficult, so they bury down into detail	Political*
The Agency is a little rigid and defensive over policy / practice. English Nature is more flexible	Political*
On macro issues – such as CAP reform or the Government's Waste Strategy – the Agency is weak. It is still feeling its way	Business
On strategic issues, the Agency hasn't had much impact on policy because it doesn't understand the political nature of the policy development process	Business
On strategic issues, the Agency follows the Government line and is much less inclined to network	NGO

* Political includes Government and EC stakeholders

Organisational changes were also recognised. For example, one business stakeholder commented that "The Agency is getting better. On agriculture, I'm pleased that the Agency has recognised the need to shift focus from single point to diffuse pollution". It was also generally accepted that the new Agency Chief Executive and Chairman are effective policy players at the strategic / political level.

Comments from Business, Government / Political, and NGO stakeholders reflect the higher score given to English Nature strategic policy advocacy:

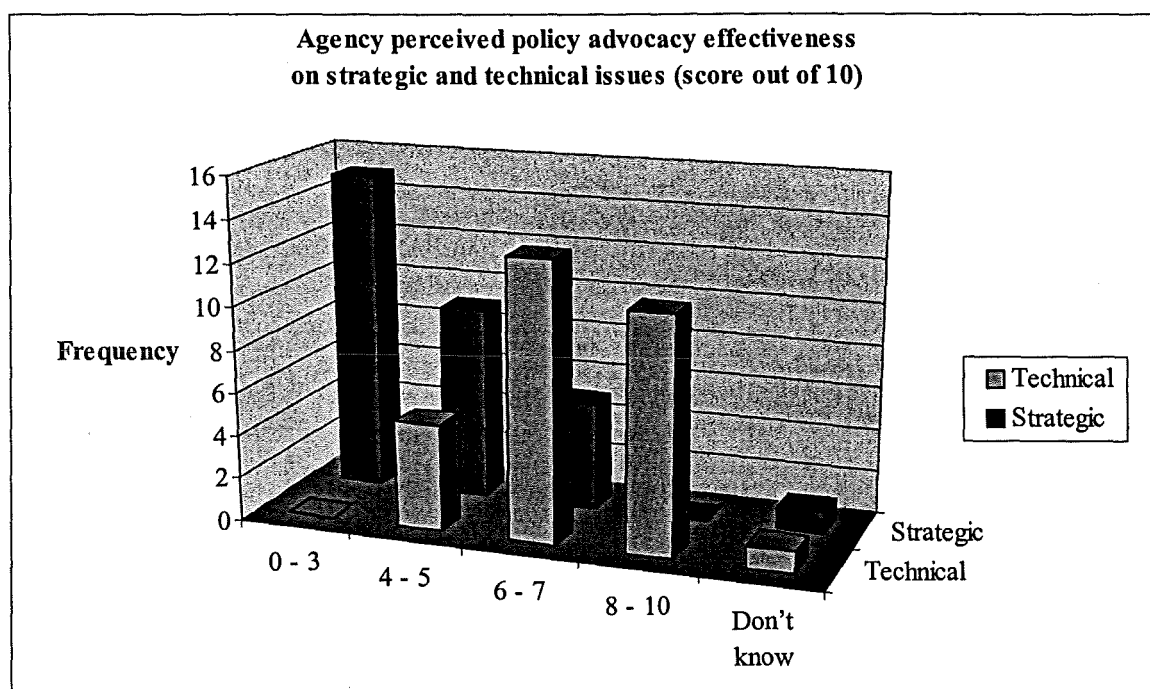
Comment on English Nature strategic policy advocacy effectiveness	Sector
English Nature has a political base as well as a scientific base. They can mobilise NGO support.	Political*
Very good at honing in on key points & beautifully presented material	Political*
English Nature is very approachable, much more in tune with Modernising Government. Agency is sometimes very elusive.	Political*
A very solid perspective of what they want, backed up by concrete examples	Business
They form an effective lobby force with other organisations	Business
English Nature sought to improve Government's regulatory position on GM. Agency defends current regulatory practice/ is PR driven – eg incineration	NGO
English Nature are just much more present in the policy community	NGO

* Political includes Government and EC stakeholders

The UK Parliament Environment, Transport, and Regional Affairs Select Committee 1999-2000 Inquiry into the Environment Agency made a similarly critical assessment on strategic issues, commenting that: "There has been a failure of leadership in the Agency". The report added: "As the Agency becomes, as we hope it will, a more effective and confident organisation, we fully expect that it will start to say things which the Government may not want to hear. The Minister's support for its right to do so will be

crucial if it is to become an effective 'champion' for the environment and sustainable development".⁶⁷

Agency perceptions also reinforce the view of external stakeholders:



However, organisational change was also a key theme in relation to English Nature. The following was highlighted as areas that have improved / could still be improved:

Comments on Agency technical policy advocacy effectiveness	Sector
At regional level, English Nature are good technically – eg on heathland issues – but still weak on the strategic / big picture	Political*
English Nature could still become more politically relevant	Political*
English Nature are now much better on the strategic / political front. They used to be a bunch of scientific anoraks. They've recognised that, unless you have a popular appeal, you won't be influential, and have broadened their focus from specific sites to also include wider countryside issues	Business
English Nature are very purist in terms of nature conservation – they need to look at wider 'multi-functionality' issues	Business
English Nature has done some good work with NFU on linking environmental sustainability and biodiversity to the future of the countryside. They've got better at making links to economic and social issues, but could be better still	NGO

* Political includes Government and EC stakeholders

⁶⁷ Environment, Transport, and the Regions Select Committee Sixth Report – Inquiry into the Environment Agency. 20 May 2000

Perceptions of English Nature staff tend to reinforce the views of external stakeholders:

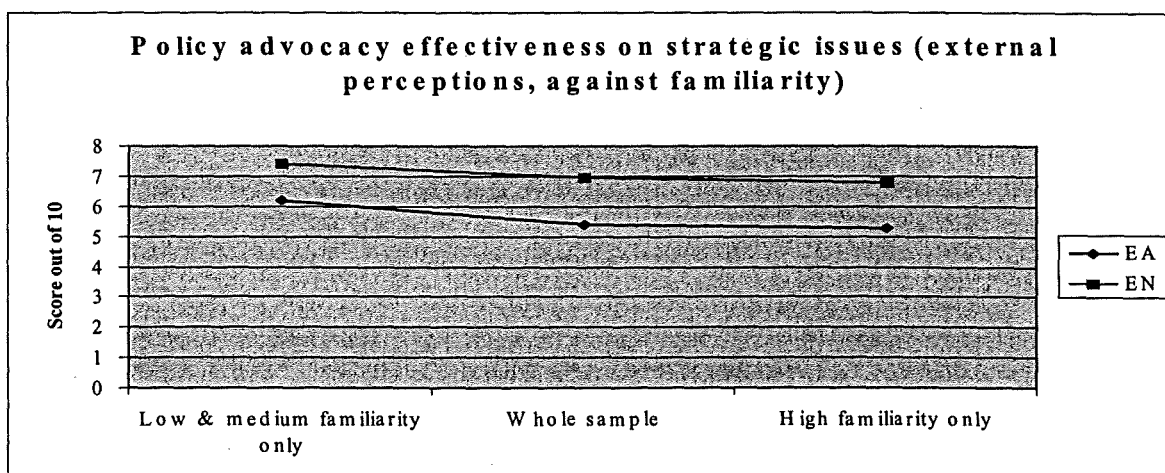
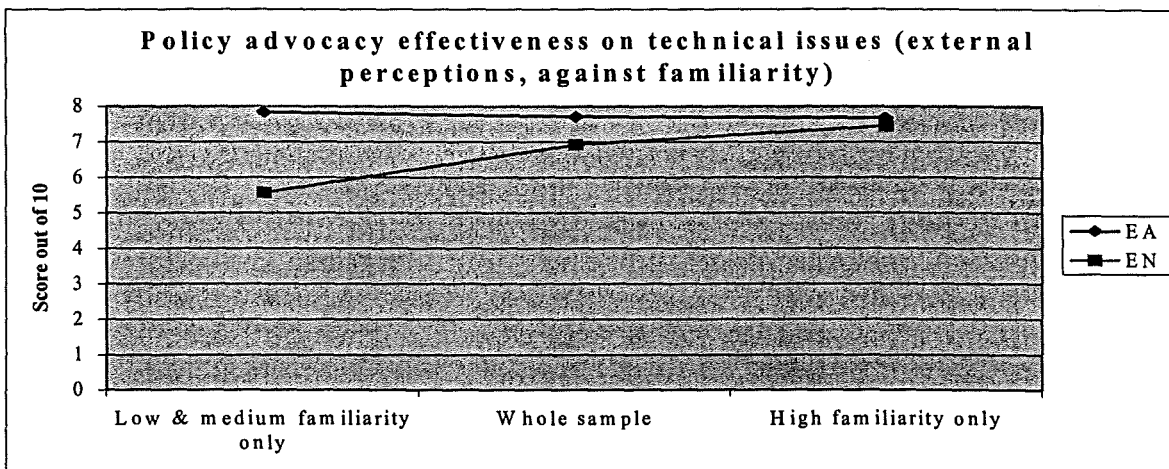
Strengths / Improvements made	Weaknesses / Improvements needed
<ul style="list-style-type: none"> • “Our strength on strategic issues is linked to the fact that conservation is quite a subjective, woolly subject – so a lot of what we need to influence is the strategic agenda” 	<ul style="list-style-type: none"> • “We need to get better at influencing technical issues. New EU Directives – for example the Habitats Directive – mean that we need to get involved at a much more detailed, technical level”
<ul style="list-style-type: none"> • “We’ve got better at prioritising. 4-5 years ago, we identified sectors of the economy for which we wanted to understand the conservation issues. In the last 2 years, we identified priority sectors. And, in the last 2 months, we’ve agreed ‘breakthrough’ issues. Campaigning isn’t quite the right word for these issues, but it sort of is that” 	<ul style="list-style-type: none"> • “We need to better link our policy advocacy with our people on the ground. Advocacy oriented position statements – which called for specific policy changes – available to all English Nature staff – would help us do this.”
<ul style="list-style-type: none"> • “We’ve got better at looking at political / social aspects of horizon scanning – for example looking at the implications of the Human Rights Act for English Nature” 	<ul style="list-style-type: none"> • “We need to improve on the political front. We need to have more contact with No.10, Cabinet Office, and political advisors – the current degree of contact is sporadic”

English Nature position statements essentially reflect Government policy and do not advocate specific policy changes. This is consistent with **English Nature’s 1996 evaluation of the quality and effectiveness of its advice to Government**, which recommended that position statements should “be checked against the Government position prior to publication”.⁶⁸ This is in contrast to the Agency’s more advocacy oriented corporate position statements, which call for specific policy changes. A key rationale for producing such corporate position statements was to help Agency people on the ground be more aware of policy advocacy work being led by Head Office. As suggested by an English Nature representative in the table above, English Nature may also wish to consider the value of more policy advocacy oriented position statements.

Consideration of familiarity, as illustrated by the following graphs, shows that those stakeholders more familiar with the organisations regard:

- English Nature as more effective than the Agency on strategic policy advocacy
- Both organisations’ policy advocacy on technical issues as effective

⁶⁸ Issue 2: EN’s Remit. An evaluation of the effectiveness of English Nature’s advice to Government. Sarah Burton, Marketing Consultant, 11 March 1996



8.1 Moving towards policy relevant analysis

External stakeholders and Agency interviewees alike agreed on the importance of having clear, coherent, robust policy positions to advocate. However, several Agency interviewees indicated concerns:

"Some key people seem to think that our policy advocacy problem is just about communications and that we already have well worked through and researched policy options and opinions sitting on shelves. The reality is we don't. We have more people working on general corporate communications than we do developing well researched, robust, policy relevant analysis. We should be investing more in the latter." Agency

"We need policy to advocate in the first place. If you don't have a policy in the first place, the rest of policy advocacy is rather academic. We have a lot of data and information that's not particularly useful. We have very little policy relevant analysis." Agency

Such comments are underlined by the July 2000 external review of the Environment Agency's Sustainable Development R&D Programme⁶⁹. The review concluded: "In view of the considerable innovation currently taking place in the environmental arena (eg negotiated agreements, emissions trading, fiscal reform), the Agency needs to develop a presence in the **policy analysis** area and understand better its own role in relation to these new approaches. Much of this work might fall within the Economics issue area, but there may also be a need to draw on other social sciences (e.g. political science) in order to gain a better understanding of new environmental policy processes as well as new policy instruments."

BOX 7: To move forward, the Agency could prioritise the building of its policy analysis capacity on strategic issues, so that it can more seriously engage in policy development. This could include an extension of R&D on new policy instruments, and a new political science R&D programme analysing policy processes, jointly led by the Policy Unit and Corporate Affairs.

8.2 Differences between Agency Directorates on policy advocacy: Water Management and Environmental Protection

Several Agency interviewees commented that: "We don't frame issues very well... We don't relate the detail well to the broader economic / social / political context and big picture", and there was recognition of this by Government / Political, Business and NGO stakeholders. However, it is important not to over-generalise, as a wide range of Government / Political, NGO, and Business stakeholders emphasised differences between the Agency's effective advocacy on water issues on the one hand as against that on waste and wider industrial regulation on the other:

Comment on Agency policy advocacy effectiveness: Water v Environmental Protection issues	Sector
The Agency tends to be very traditional in its approach to municipal waste growth. The Agency has been much more innovative on the water side, in terms of looking at the effectiveness of policy	Political*
The Agency is quite strong on the water side – it's got the strengths of the NRA. It's not as strong on waste – it doesn't have the right balance of expertise, because of the way the industry is changing from a linear focus on landfill to a more cyclical emphasis on materials and energy recovery	Business
The Agency can talk about water issues quite well	Business
The Agency has been effective on water policy – for example, a good job has been done on development in the flood plain issues. On environment protection (EP) issues, the Agency is a bit techy and head down. People in EP are not so confident in the message and want to be liked by industry	NGO
The Agency is stronger on the water front	NGO

* Political includes Government and EC stakeholders

⁶⁹ External review of the Environment Agency's Sustainable Development R&D Programme, Jim Skea, Policy Studies Institute, London. July 2000

Some Agency staff agreed that “the Agency is better on water” whilst others emphasised that “environmental protection (EP) legislation is more complex, and there are less contentious issues in water management. The Agency is seen as a ‘good guy’ on flooding / water resources, whereas in EP – where we license unpopular facilities such as incinerators and nuclear plant – the Agency is the ‘bad guy’ or ‘fall guy’”. Nevertheless, a brief comparison of two key documents addressing the strategic agenda highlights some important differences in approach:

Document	Water resources for the future: A strategy for England and Wales ⁷⁰	Strategic Waste Management Assessments (England and Wales) ⁷¹
Communicating relevance of environmental delivery to the socio-economic context, and vice-versa	Report highlights sustainable development context, socio-economic scenarios, precautionary principle, implications of potential economic instruments, and scope for changes in the institutional and governance framework. It also makes important links with the Government’s political priorities, for example on climate change.	Very little mention of sustainable development context, implications of potential economic instruments, and scope for changes in the institutional and governance framework. The scenario emphasis is on quantitative environmental issues derived from life cycle assessment.
Basis of forecasts	DTI Foresight socio-economic scenarios approach, which span diverse future contexts: “world markets”, “global sustainability”, “local stewardship”, and “provincial enterprise”.	Predict and provide modelled for two growth rates: 1% and 3%. Uniform assumption in relation to public participation in recycling / composting, and no indication of what could cause this to change. Uniform assumption of energy displacement effects with respect to incineration
Stakeholder response to Agency approach in this area	Positive	Negative - particularly critical of uniform assumptions above, of assumption on the take of landfill void by engineering, cover and restoration, and of the process for determining the ‘maximum recycling scenario’
Ministerial response in document	Very positive - Deputy Prime Minister welcomes the Agency’s work with a foreword to the report, commending the use of the socio-economic DTI foresight scenarios approach, and highlighting the “actions” / policy recommendations.	None

⁷⁰ Water resources for the future: A strategy for England and Wales. Environment Agency, March 2001

⁷¹ Strategic Waste Management Assessments for England and Wales. Environment Agency, 2000

Document	Water resources for the future: A strategy for England and Wales ⁷²	Strategic Waste Management Assessments (England and Wales) ⁷³
Evidence of independent sustainability appraisal (as part of contribution to joined up policy implementation)	Yes. Independent sustainability appraisal (by ERM) – considering relevant environmental, economic and social issues – highlighted in conclusion.	None
Evidence of responsiveness to sustainability appraisal (as part of contribution to joined up policy implementation)	Yes. ERM finding that Agency integration of social dimension should be improved taken on board and published within list of recommendations.	None

However, the above table only provides a *limited comparison of the documents*, and the SWMAs and Water Resources Strategies must be put in their proper context. Agency interviewees emphasised:

- *“The SWMAs are not Strategies. They are strategic because of the level at which they are compiled, but they are not Strategies, setting out an ideal course of action”*
- *“The Agency has a clear role in preparing Water Resources Strategies, acknowledged by Government. Indeed, who else could do it? On waste, the picture is far more fragmented. Government has kept the waste strategy role at the national level and what there is regionally and locally rests with local and regional government. The Agency has no formal role in preparing waste strategies”*
- *“I would suggest that waste is a more complicated subject than water. This is from the point of view of the cross-cutting nature of it and also the deep unpopularity of waste facilities locally”*
- *“I acknowledge that the Water Resources Strategies did keep demand management on the agenda, but they didn’t upset anyone and I would question their overall effectiveness. Maybe the SWMAs have had more impact on Government”*
- *“To be fair, it isn’t ‘water management good – environmental protection bad. Flood defence could also learn from water resources”*

BOX 8: To move forward, the Agency could explore opportunities to promote learning from the approach taken on the *Water resources for the future* strategy to other key policy areas, such as waste and flood defence

⁷² Water resources for the future: A strategy for England and Wales. Environment Agency, March 2001

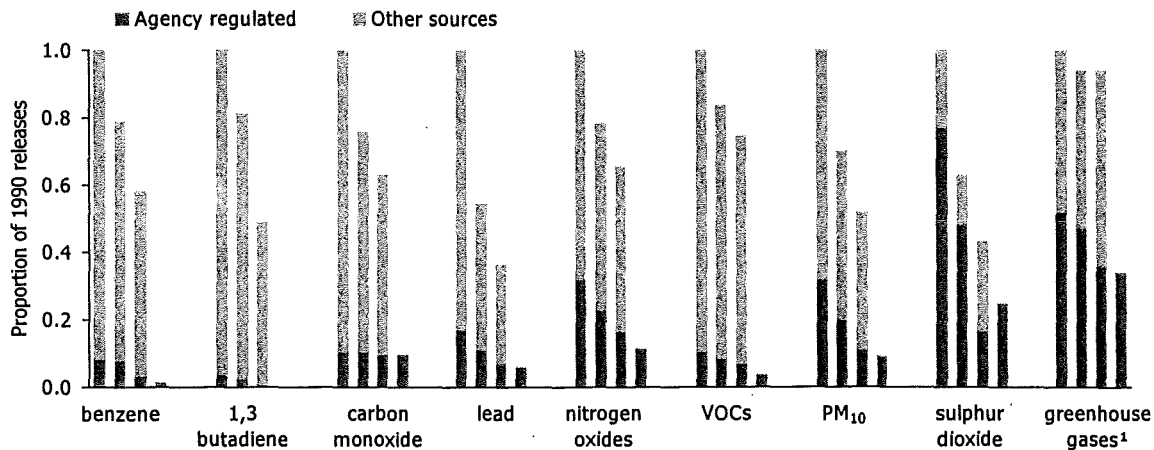
⁷³ Strategic Waste Management Assessments for England and Wales. Environment Agency, 2000

8.3 From regulation to policy packages

Changing pressures on the environment

It is a notable success that the contribution of Agency regulated point sources of pollution has in most cases declined sharply over the last decade:

Contribution of Agency-regulated processes to UK emissions of selected pollutants, 1990, 1995, 1998 and 1999



¹Emissions expressed as carbon equivalents

Source: NETCEN/Environment Agency

This is not only a UK phenomenon – environmental regulation has been central to the successes of European Community policy, for example in reducing air and water pollution. However, as the **EU 6th Environment Action Programme** highlights, “sources of environmental pollution are no longer concentrated in individual industrial facilities but lie in manifold economic activities and consumer behaviour.”⁷⁴ Indeed, such issues extend beyond EU level – the **OECD environmental indicators** that continue to get worse – such as CO₂ from energy use, total material flows, transport energy use, and municipal waste – again tend to be precisely those central to our systems of production and consumption.⁷⁵

The public policy response

At EU level, legislation increasingly aims at regulating *results or outcomes*, rather than the detailed means for achieving them.⁷⁶ Member states are thereby given greater scope to choose the optimum ‘mix’ of policy instruments (including the use of voluntary agreements, negotiated agreements, and economic instruments) to attain the outcomes set in EU Directives. In this way, the most cost-effective approach can be identified, and Member States can learn from one another’s experience. At UK level, Government is keen to build on its experience with the IPPC regulation, Climate Change Levy and

⁷⁴ Section 8.1, page 61. The Sixth Environment Action programme of the European Community 2001-2010

⁷⁵ See: Pages 22-23, Environmental Modernisation. Michael Jacobs, Fabian Society, October 1999

⁷⁶ Paragraph 3.2.1, Agency consultation response on: The Sixth Environment Action programme of the European Community 2001-2010

associated negotiated agreements policy package, and to explore new approaches to environmental policy.⁷⁷

Increasingly, both business and NGOs are also arguing that the traditional relationship between regulator and regulated – based on intervention and restriction of business activities – is on its own unlikely to stimulate the dynamic and innovative approach to environmental performance now needed from business, particularly with respect to diffuse pollution and resource efficiency.⁷⁸

The Agency response

The Agency is already developing new approaches on several fronts, including:

- Work with Government on the development of quantified environmental outcomes and success criteria for all new regulation. DEFRA have noted that the absence of such targets and criteria for much existing regulation has made it more difficult to secure the confidence of business (and equally of NGOs and the public)⁷⁹
- Work with Government on the development of a unified regulatory process, enabling the Agency to build a modern risk based approach to all future regulations
- National campaigns on wider community impacts, such as oil care, tyres and construction incidents
- Promoting business engagement in resource efficiency (e.g. waste minimisation and water efficiency) and uptake of environmental management techniques
- Contributing to the debate on statutory corporate environmental reporting and wider corporate governance issues⁸⁰

However, NGOs underline that the arrival of *negotiated agreements* on the policy scene means that the Agency will need to invest to ensure it has the capacity to be effectively and closely involved in relevant national policy development and target setting negotiations.⁸¹

Moreover, several external stakeholders suggested the Agency needed to build its capacity to contribute effectively to the development of future *policy packages* including economic instruments and negotiated agreements alongside traditional command and control regulation:

⁷⁷ This desire is expressed in the UK Sustainable Development Strategy, *A Better Quality of Life*, in the literature from the DETR Market Transformation Programme, and in statements from both Treasury and the Cabinet Office

⁷⁸ Signed, Sealed and delivered? The role of negotiated agreements in the UK, Green Alliance, April 2001

⁷⁹ Paragraph 69, page 39, DEFRA Environment Agency FMPR Stage 2 report, March 2002

⁸⁰ Consultation response on the Company Law Review. Environment Agency, August 2000

⁸¹ Concussions, page 34. Signed, Sealed and delivered? The role of negotiated agreements in the UK, Green Alliance, April 2001

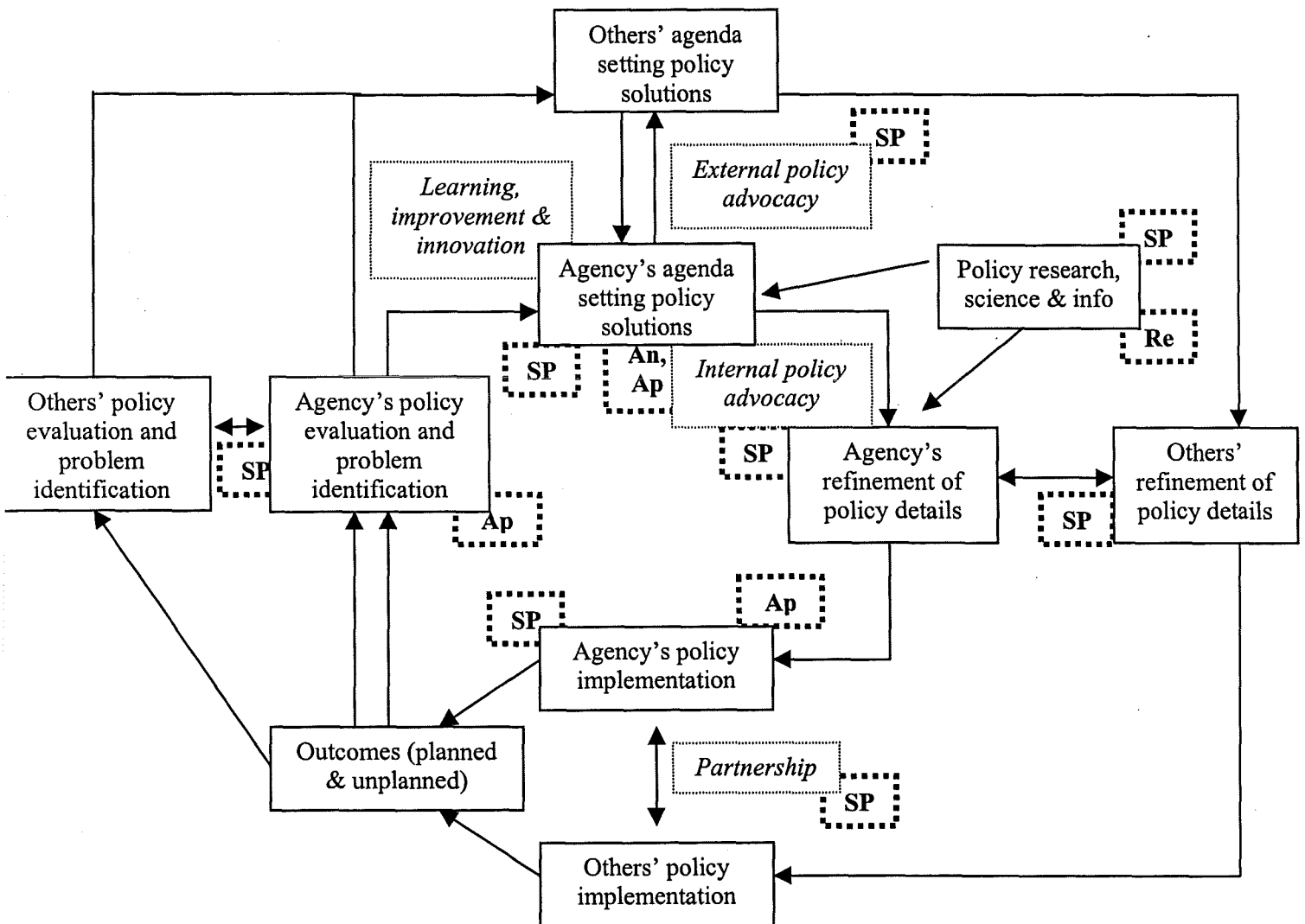
Comment	Sector
To some extent, the Agency still needs to shift from a regulatory base view of the world, in which regulation is the only or main policy mechanism, to one comprising policy packages	Political*
The Agency needs to improve its effectiveness with respect to non-regulatory policy instruments. It needs to see the world more in terms of policy packages	Political*
Increasingly, there's a need to monitor the effectiveness of the softer end of policy packages – partnerships, taxes, trading, and incentives (e.g. the Climate Change Levy, IPPC, CCL negotiated agreements, and emissions trading policy package). This is both an opportunity and threat in terms of improving Agency policy advocacy effectiveness	Business
On agriwaste, the Agency is too focussed on regulations and not enough on policy packages	Business

* Political includes Government and EC stakeholders

BOX 9: To move forward, the Agency could prioritise building its social and economic policy analysis capacity, so that it is able to contribute more effectively to the development of new policy packages which may impact its mission or operations.

Stages of the policy development cycle are considered overleaf.

9 Stages of the policy development cycle



Key:

An	Policy analysis
Ap	Policy appraisal
SP	Social processes
Re	Policy relevant research

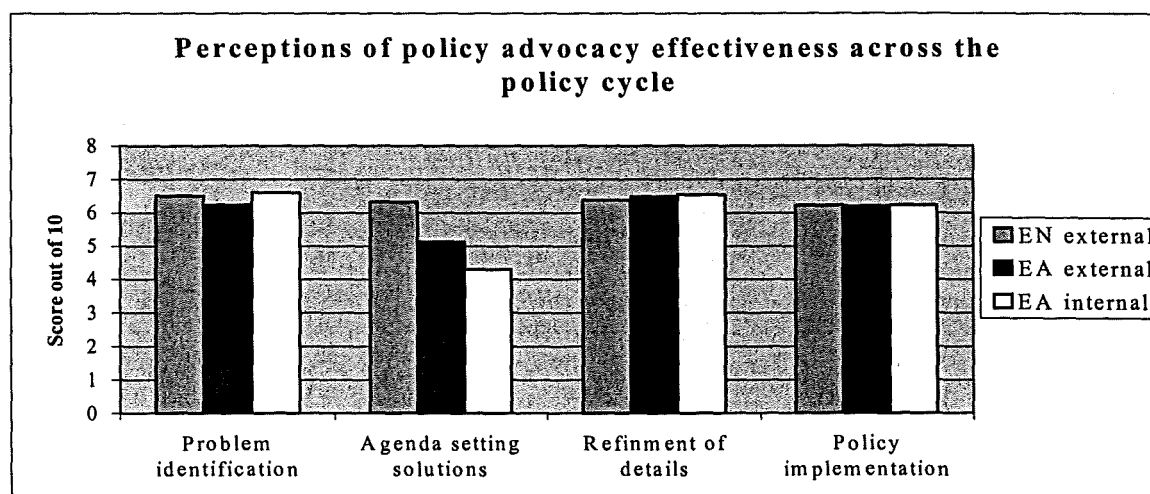
Source: Adapted from Colvin⁸²

⁸² Adapted from: Social policy in the Agency: Current and future business positions. John Colvin, 20 December 2001

This section considers English Nature and Agency policy advocacy effectiveness at each of the following stages of the policy development cycle:

- Problem identification
- Agenda setting solutions
- Refinement of details
- Policy implementation

Both Agency interviewees and external stakeholders perceive a particular Agency weakness in terms of agenda setting solutions:



9.1 Problem identification

Amongst those more familiar with the Agency and English Nature, only a slight (insignificant) difference was perceived between the two organisations policy advocacy effectiveness in terms of problem identification:

Policy advocacy effectiveness in terms of problem identification (External perceptions)			
Average external score (out of 10, mean)	Low & medium familiarity only	Whole sample	High familiarity only
EA	7.3	6.2	6.1
EN	6.0	6.5	6.7

Agency and English Nature problem identification capability was generally seen as reasonably good. The Agency has a statutory duty to form an opinion on the state of the environment, and has published *Environment 2000 and Beyond* and numerous other reports describing the state of the environmental problem in considerable depth.⁸³

⁸³ See, for example: *Environment 2000 and Beyond*. Environment Agency, December 2000, and the State of the Environment of England and Wales series (fresh waters, 1998, coasts, 1999, the land, 2000, and the atmosphere, 2000).

As the following comments illustrate, there was some variation in opinion as to Agency effectiveness on problem identification. Equally though, there was some agreement that the Agency could make better use of its data and be more proactive in identifying problems:

Comment	Sector
The Agency could use its data more effectively	Political*
Agency problem identification is good, given its experience at the coalface	Political*
The Agency is good at identifying problems and publicising them	Business
The Agency needs to look further ahead. The Agency waited too long to say 'tyres are a problem', and it doesn't recognise some issues before they hit it. Fridges was a case in point – and it means that the Agency is seen as part of the problem rather than part of the solution.	Business
English Nature tries to find out problems before they've happened. The Agency is very reactive – it's like 'oh look, it doesn't work on the ground'	Business
The Agency needs to link its State of the Environment reporting much more closely with key public policy issues, for example resource productivity. Government hasn't put any numbers to integrating resource productivity across the economy. The Agency could help identify environmentally stretching yet economically feasible resource productivity targets.	NGO

* Political includes Government and EC stakeholders

More fundamentally, several Agency, English Nature and Government / Political stakeholders called for a more systematic approach to problem identification through better **policy evaluation**. As one English Nature employee put it: "linking policy with practice remains a weakness – we don't have the resources to follow up and check that policy implementation is working".

The EU White Paper on Governance and the DEFRA FMPR of the Agency have also highlighted this issue, and the Agency has made a commitment to place greater emphasis on policy evaluation, with training support for policy authors to reflect the new emphasis.⁸⁴

However, effective policy evaluation requires access to appropriate data sets – yet, as one Agency interviewee highlighted: "The problem is that we're monitoring the wrong stuff, so we're not as good as we could be in terms of problem identification".

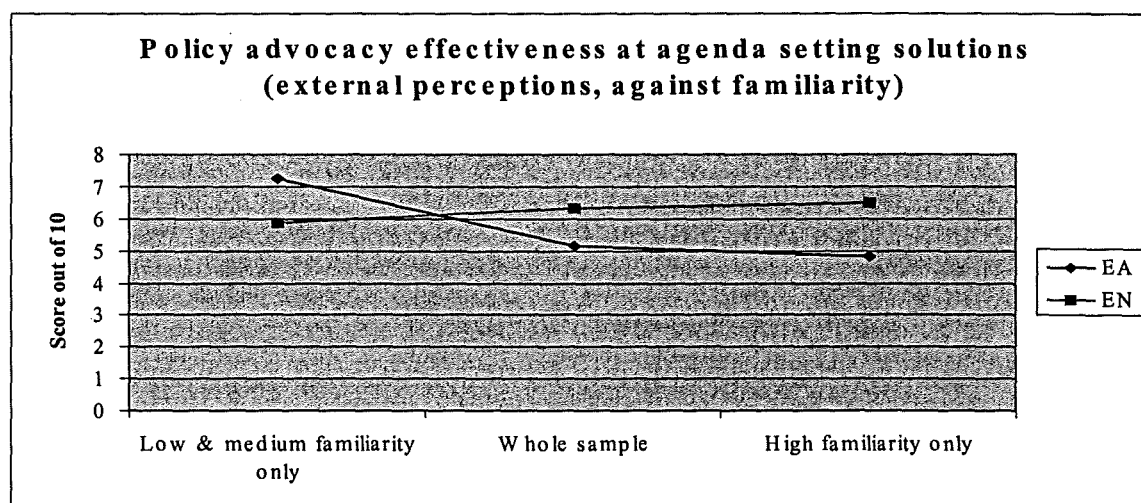
⁸⁴ Page 22, European Governance – A White Paper. CEC Brussels 25.7.2001 COM(2001) 428 final. Page 66, DEFRA Environment Agency FMPR Stage 2 report, March 2002

Such issues were highlighted by a major conference in June 1998 called: *Bridging the Gap: New Needs and Perspectives for Environmental Information*.⁸⁵

June 1998 Bridging the Gap conference	
Organisers and sponsors	Speakers included:
<ul style="list-style-type: none"> • Environment Agency for England and Wales, UK • Scottish Environment Protection Agency, UK • European Environment Agency, Denmark • Ministry of Housing, Spatial Planning and the Environment: VROM, Netherlands • Advisory Council for Research on Nature and the Environment: RMNO, Netherlands • National Institute for Public Health and the Environment: RIVM, Netherlands 	<ul style="list-style-type: none"> • Environment Minister, UK • Chairman, EA • Chief Executive, EA • Chief Executive, EEA • Director of DG XI.B, EC • Director General, VROM

The key conclusion of the conference was that much of the data and information collected by EU Member States is redundant, whilst there remains a shortage of *policy relevant* information. Information needed for better policy making – eg on policy effects/effectiveness – is either not collected at all, or fails to reach the right people. There is therefore a need to move from the best *available* information to the best (or badly!) *needed* information. Whilst the European Commission has to some extent recognised this in its consultation on its 6th Environment Action Programme [Decision Art 9(4)&(5); Comm. S8.1, 8.2], the Agency has pressed the Commission to further strengthen its position.⁸⁶ Significantly, a European Commission proposal for a Framework Directive on Reporting is now expected by the end of 2002. This will deliver a repeal of the Standardised Reporting Directive (1991/692), and set down principles for the future shape of the statutory reporting regime.

9.2 Agenda setting solutions



⁸⁵ Bridging the Gap: New Needs and Perspectives for Environmental Information. Proceedings of a conference held at Nelson's Dock in London, June 1998. The Agency was a co-organiser.

Those external stakeholders more familiar with the organisations felt that the Agency was very re-active, with English Nature being significantly more pro-active. The following Agency comments offer further insight as to why the organisation is seen to be very weak on agenda setting solutions:

Headline	Agency comments
<i>Relationship with Government</i>	<ul style="list-style-type: none"> • Government doesn't like us coming up with solutions. They're more happy with the Agency coming up with technical comments on solutions they've drafted • We don't recognise that we even need to set the agenda for solutions. It's partly down to a mindset that says 'Government decide on policy – we can just wait to be told what to do • The old relationship between central government and the local waste regulation authorities still persists in the Agency on waste, in the sense that we wait to be given legislation by mighty, clever and wise central government. We have only very recently begun to move out of this
<i>Agency policy style and focus</i>	<ul style="list-style-type: none"> • If you want to input to Government policy, you have to do a lot at early stages, behind closed doors with civil servants. We write consultation responses but don't insist on a process behind the scenes • Putting forward effective solutions means understanding the broader context and others' interests. We're very bad at this, so we're poor at solutions • We need to be offering advice on the shape and style of Directives. We've placed too much emphasis on implementation
<i>Agency risk averse culture</i>	<ul style="list-style-type: none"> • The Agency is very reactive. We're not comfortable with being leading edge and out there – just take the internal Agency reaction to the sustainable development work on an Energy Vision for example. That was essentially just building on thoughts in academic work already out there, and it was just too forward looking and off the fence for the Agency. How then are we going to innovate our own ideas?

⁸⁶ Raised by Agency Chairman Sir John Harman with EU Environment Commissioner Margot Wallstrom. See: Agency consultation response on: The Sixth Environment Action programme of the European Community 2001-2010

Comments from external stakeholders reinforce this assessment:

Comment	Sector
The Agency isn't good at coming up with politically acceptable solutions. It isn't good at saying "this is the ideal solution, but we recognise that it may not be practical, so this is what we propose"	Political*
I can't think of a single occasion when the Agency has asked the European Commission to come forward with a proposal.	Political*
The Agency is never pro-active. NGOs set the agenda, not the Agency	Political*
I've never come across the Agency agenda setting solutions. It's all very well to take someone's watch and tell them its broken. What I want is someone who can also identify practical solutions and hand it back fixed.	Business
The Agency makes a valuable contribution to debate, but not at the policy formation stage. The Agency is more at the implementation end of policy.	Business
The Agency's focus is on policy implementation issues, not policy advocacy	NGO
There's much more scope for the Agency to take on the role of championing the environment in public policy debate. In terms of agenda setting, most of the ideas have been suggested from outside Government, often within academia. But an old idea outside Government can be a new idea within Government, and the Agency can help make this happen.	NGO

* Political includes Government and EC stakeholders

Comments on English Nature tended to suggest English Nature are reasonably effective at agenda setting solutions, though English Nature staff were more divided:

Comment	Sector
English Nature are part of the EU agriculture policy debate, and their solutions are generally very well received.	Political*
English Nature are good and get involved at the pre-formal stage. They don't just say 'where do we want to go?' but also set out policy options / solutions for how we could get there. The Agency are far less forthcoming.	Political*
The NGOs do more of the agenda setting. For the CROW Act, it was the NGOs that raised the pressure and put the case for legislative change. There was a WWF report on English Nature which was highly critical, calling us a 'Muzzled Watchdog', and that pushed Government towards the CROW Act.	English Nature
We're good at thinking in terms of economic incentives and policy packages.	English Nature

* Political includes Government and EC stakeholders

However, there are important opportunities for change now available to the Agency, not least the **EU White Paper on Governance** proposals to open up the policy process and the recognition by DEFRA that “there is a strong case for earlier and better involvement of the Agency on policy development”⁸⁷. Moreover, as one Government / Political stakeholder put it: “Given the Government obsession with better regulation, the Agency is in a strong position if it can suggest alternatives to traditional regulation which achieve the same environmental outcome at less cost to business”.

9.3 Refinement of details

Policy advocacy effectiveness in terms of refining details (External perceptions)			
Average external score (out of 10, mean)	Low & medium familiarity only	Whole sample	High familiarity only
EA	7.0	6.5	6.4
EN	5.4	6.4	6.7

For those more familiar with English Nature and the Agency, both organisations were seen to be reasonably effective in terms of refining details. As one Agency interviewee put it: “We’re bloody good at making things work – e.g. helping DTI to make the End of Life Vehicles Directive implementable. But we’re not so good at influencing to help determine which Directives come about in the first place.”

9.4 Policy implementation

Effectiveness of policy implementation (External perceptions)			
Average external score (out of 10, mean)	Low & medium familiarity only	Whole sample	High familiarity only
EA	6.8	6.2	6.1
EN	6.3	6.2	6.2

Overall, both organisations were seen as reasonably effective in relation to policy implementation. Nevertheless, several interviewees raised important concerns about regional consistency and policy appraisal in the Agency:

⁸⁷ Paragraph 2.6.3.2, page 25, DEFRA Environment Agency FMPR Stage 1 report, August 2001

Comment	Sector
The Agency is good at proposing things that are implementable, based on its experience of operations.	Political*
Regional inconsistency is a weakness	Political*
Agency Head Office policy people are good quality. It's variable in the regions. Regional inconsistency is a real problem for Agency credibility	Business
The Agency has really just gone into applying the Directive rather than thinking about the impact of the Directive. It's been blind implementation	Business
There are consistency problems between Agency regions	NGO
The quality of people on the ground reflects a lack of resources for training	NGO
The amount of effort we've put into implementation of the Integrated Pollution Prevention and Control Directive is huge – and it's truly frightening that we haven't assessed the regulatory burden on industry or on the environment. We should be asking – so, what are the benefits of this Directive? How could we get at those benefits more efficiently and effectively? We need policy appraisal to support policy implementation. No such policy appraisal is currently undertaken	Agency
We good at giving advice on policy which we're implementing ourselves, but not if others – local authorities for example – have the lead implementation role	Agency

* Political includes Government and EC stakeholders

However, it may not be fair to attribute policy responsibility for poor implementation too heavily on the Agency. Firstly, the problem of poor policy implementation extends across the EU, as was identified in 1992 by a damning report from the **House of Lords Select Committee on the European Communities**. The report concluded:

*"Implementation and enforcement of environmental legislation go to the heart of Community policy. But Community environmental legislation is being widely disregarded, and the Community has paid insufficient attention to how its policies can be given effect, enforced, or evaluated. The time has come to redress the balance."*⁸⁸

Secondly, as Andrew Jordan argues in an illuminating paper on the implementation of EU environmental policy⁸⁹:

"Until relatively recently, the implementation of the environmental acquis was a taboo subject, rarely discussed in policy circles. None of the major players had any reason to raise its political profile, so a conspiracy of silence prevailed. For obvious reasons, states prefer not to advertise their own failings and there is a well-established 'gentleman's agreement' not to draw attention to one another's failings."

⁸⁸ Page 35, HOLSCEC (1992a). Implementation and Enforcement of Environmental Legislation: Volume 1 – Report, House of Lords, Papers 53-1

⁸⁹ Page 306, The 'Implementation of EU Environmental Policy: A policy problem without a political solution?'. Andrew Jordan, Environment and Planning C, 1999, Vol 17, No.1, pp69-90, Pion Ltd

This viewpoint was confirmed by one Government / Political interviewee, who emphasised the value of the Agency's informal IMPEL network in this respect. Another Government / Political stakeholder also argued: "A fundamental weakness is that no-one is judged on whether policy works within DEFRA".

Nevertheless, policy implementation is now a key strategic priority of the EU 6th Environmental Action Programme. This decision has been welcomed by the Agency, given the implementation problems in relation to several Directives (e.g. the Nitrates Directive) and the likelihood of further implementation problems following EU enlargement and the shift towards more discretion at Member State level.⁹⁰

In terms of the Agency raising policy proposals to help deliver policy integration on the ground, there may be various opportunities with the **Environment Committee of the European Parliament**. As one Government / Political stakeholder put it: "Though MEPs have little influence over the broad brush direction of policy – like CAP reform for example – MEPs can influence specific parts of specific Directives". Moreover, the Environment Committee has since 1988 published several reports on areas of policy implementation, and, as academic David Judge argues:

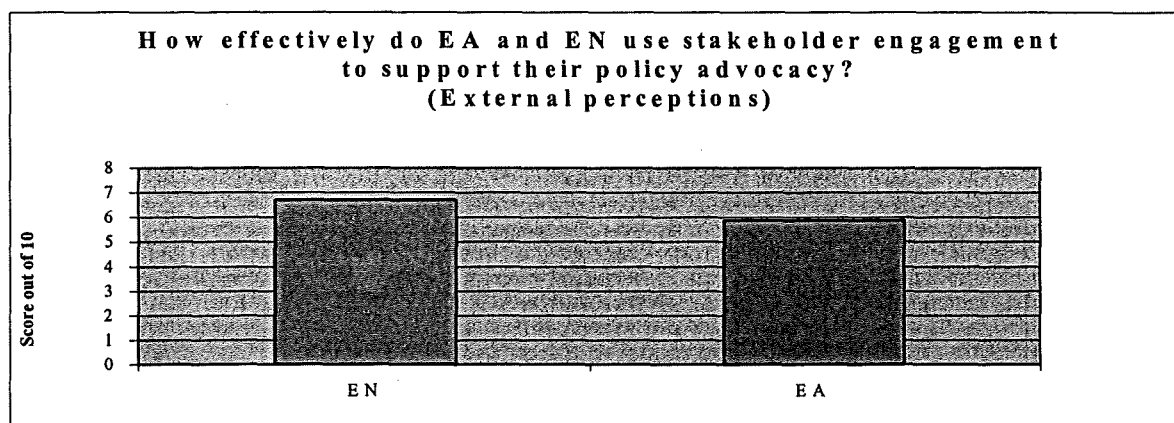
*"Quite simply the Environment Committee has been perhaps the collective memory and conscience of the Community on the subject of the implementation of EC environmental legislation"*⁹¹

BOX 10: The Agency could work with DEFRA to prioritise the development of relationships with MEPs sitting on the Environment Committee, in particular to help deliver integrated policy implementation.

⁹⁰ Paragraph 3.3.1, Agency response to the Sixth Environment Action programme of the European Community 2001-2010

⁹¹ Page 135, "Predestined to Save the Earth: The Environment Committee of the European Parliament". David Judge, *Journal of Environmental Politics*, 1992, Vol. 1, No.4, pp109-128.

10 Use of stakeholder engagement to support policy advocacy



Use of stakeholder engagement to support policy advocacy (External perceptions)			
Average external score (out of 10, mean)	Low & medium familiarity only	Whole sample	High familiarity only
EA	6.2	5.9	5.8
EN	7.1	6.7	6.5

Essentially, stakeholders attributed a slightly (though not significantly) higher score to English Nature on the basis of their being more pro-active about networking and operating in advocacy partnerships:

Comment	Sector
English Nature often do joint papers with IEEP, WWF, and RSPB at EU level. They are in the frontline of policy debates. I've not seen much sign of the Agency working in coalitions	Political*
Agency stakeholder engagement is focussed around discussing operational / implementation issues and sharing information – rather than strategic advocacy partnerships	Political*
English Nature form a large lobby force with other organisations and are more pro-active. The Agency is getting better – the recent waste stakeholder engagement was excellent. The Agency got very close to centre stage with the Cabinet Office Performance & Innovation Unit (PIU)	Business
On agriculture, the Agency's understanding of partnership is very often at the same level as that between a man and his horse, and the Agency is very rarely the horse. English Nature are genuinely interested in stakeholder views and are very accommodating of others perspectives.	Business
Contact with the Agency is through DEFRA whereas we do a lot of work in active partnership with English Nature. English Nature are more pro-active; more willing to talk with NGOs	NGO

Comment	Sector
The Agency would gain more public trust if it acknowledged uncertainties and sought to improve Government policy, in line with Modernising Government. English Nature began to behave differently by campaigning – for example saying that the Government’s regulatory position on GM was not strict enough	NGO

* Political includes Government and EC stakeholders

Comments from Agency and English Nature staff offer further insight into how the two organisations approach stakeholder engagement. For the Agency, it appears that engagement is driven primarily by operational need, and there is an emphasis on science as the means of persuasion. For English Nature, it appears stakeholder engagement is oriented more towards policy advocacy, and there is more of an emphasis on managing relationships, with an active policy of differentiation with respect to NGOs.

<p><i>An operations driven approach:</i></p> <ul style="list-style-type: none"> • “We rely on good links with both industry and NGOs – but crucially our links with NGOs are not as good as they should be. We have tended to work with industry and their associations – because we have to – i.e. its operations driven. We haven’t engaged with many stakeholders” • “A year ago, MAFF, ourselves and the NFU were the only players in agriculture in the minds of some people here. Now we’re recognising much more the diversity of the policy community, and appreciate the need for wider engagement.” 	Agency
<p><i>Scientific fundamentalism:</i></p> <ul style="list-style-type: none"> • “We have a culture of telling people, and blaming them for being misinformed and wilfully ignorant. We have a strong belief in the primacy of reasoned argument. We think if you tell people often enough and loud enough, and you give them the facts, they will be convinced. Starting positions, trust, context, and power relations – these are issues that probably don’t cross most Agency staffs’ mind... The truth is, we ignore the rules of argument” • “There’s a scientific fundamentalism in the Agency. It’s almost as if you’re selling out your beliefs if you compromise” • “Stakeholder engagement isn’t valued – yet it gives you much stronger and more legitimised positions... most of us don’t understand the difference between stakeholder engagement and consultation. There is professional arrogance throughout the Agency – at all tiers of the Agency, its “we know best”. We don’t value trust building with other external stakeholders. We have a bunker mentality.” 	Agency
<p><i>Active differentiation with respect to NGOs:</i></p> <ul style="list-style-type: none"> • There’s been an active policy of differentiation with respect to NGOs. We’ve been developing relationships with Government departments, so that we’re not seen as trying to harangue and criticise the whole time. 	English Nature

<p><i>Relationship management:</i></p> <ul style="list-style-type: none"> • We have a long history of working with RSPB and developing positions together. On agriculture, we can get the NGOs to say things that we think need to be said but can't say ourselves • Working and advocating with leading businesses – for example leading Quarry Products Businesses – would enhance our policy advocacy effectiveness • We still spend too much time writing documents relative to building and maintaining relationships with people who can make a difference • We're not as influential with DTLR, as there aren't quite the same operational lines of responsibility 	English Nature
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BOX 11: To move forward, the Agency could further *mainstream* the partnership approach to policy advocacy described in the Vision through framing particularly sensitive areas of policy relevant R&D in partnership with stakeholders, in line with the OST guidelines on scientific advice and policy making

Some Agency and Government / Political interviewees suggested that liaison with Parliament and MPs was an Agency weakness:

- “English Nature are better at liaison with Parliament and MPs. The Agency never gets a sympathetic hearing from MPs” Government / Political
- “As an Area Manager, I knew most MPs and MEPs very well – some extremely well. The problem is that an Agency Area can cover 40 MPs. In London, we have 1 Mayor, 26 AMs, 12 political advisors, about 12 MEPs, about 50 MPs, and 33 London boroughs with councillors etc. Influencing all of these people is a tough job.” Agency

BOX 12: To move forward in terms of relationships with MPs, the Agency could prioritise and focus its relationship building with a small group of MPs with a strong interest in the environment or other Agency activities (e.g. flood defence).

10.1 Relationship with DEFRA

DEFRA is the sponsor of both the Agency and English Nature and the lead Government department for environment, food and rural affairs policy. As such, the relationship between DEFRA and the Agency and English Nature clearly has significance. The following comments offer some insight into the relationships between DEFRA and the two organisations:

Comment	Sector
I'm interested in DEFRA's views on the Agency's views. If there's political support for something the Agency is calling for, then we will take it much more seriously.	Political*
DEFRA views the Agency and English Nature differently. It sees English Nature as a statutory advisor, whereas it's approach to the Agency is: “you implement, we make policy, get back in your box”	Political*

Comment	Sector
English Nature have a better relationship with DEFRA, who are happy with English Nature's policy advice role. DEFRA sponsorship division hasn't always kept the Agency as informed as it should be, and the Agency has been kept on a tighter rein than English Nature	Political*
The Agency was taken off the invite list of a No.10 seminar on farming, yet environmental regulation is a key issue. Senior DEFRA officials and No.10 rather than Ministers took the Agency off the list. The Agency is seen by DEFRA as 'making things more complicated' and unhelpful.	Political*
The Agency has an uncomfortable relationship with DEFRA. There's a lot of turf and empires	Business
English Nature is seen as much more arms length from central Government than the Agency. English Nature have more freedom than the Agency, but are not party to quite the same level of inside information as the Agency	NGO

* Political includes Government and EC stakeholders

Government / Political stakeholders also offered a number of more specific comments on Agency and English Nature policy advice:

- "The Agency is not clear about its role beyond implementing regulations"
- "Agency policy advice is valuable from the experience of implementation, not as a think tank. On the big picture, the Agency sometimes goes off the rails – it should stick to its core regulatory duties"
- "The Agency has a poor understanding of stakeholder positions. English Nature put a lot of resources and time into it. The Agency would be more effective if it could say 'we recognise that industry is calling for X and here's why we're calling for Y'"
- "English Nature are not so factually based, but have a more pragmatic way of arriving at conclusions – by holding conferences which bring together the key players"

However, it was widely recognised that much is changing, and several opportunities and threats were highlighted. The tone of the **FMPR review**, for example, was one of the Agency acting as 'critical friend'⁹². Overall, this seems to suggest that the Agency will achieve more longer term through a primarily '**inside track**' policy advocacy approach rather than public / media focussed policy campaigns.

One Government / Political stakeholder underlined this as a potentially key threat to the Agency's policy advocacy effectiveness, saying: "It wouldn't be helpful if the Agency simply become another lobby group". Some Agency interviewees emphasised that "DEFRA's understanding of 'arms length' is that we remain very close". English Nature staff also stressed that "Getting an 'inside track' is very important to us. It means we get draft consultations before they're issued and are invited onto Government steering groups and included in key meetings".

⁹² Paragraph 1.6.10, page 18. DEFRA Environment Agency FMPR Stage 1 report, August 2001

More specifically, the recent establishment of the **Foreign & Commonwealth Office (FCO) Environment Policy Department**⁹³ alongside the development of other Government department sustainable development strategies presents an opportunity for the Agency to help DEFRA with some of the new demands placed upon it. **Secondments** and **policy facilitation** were seen as two key ways in which the Agency could improve its policy advocacy effectiveness:

Comment	Sector
There's no doubt that seconding people into central Government is good for building trust and relationships	Political*
The Energy Saving Trust has been a very effective policy co-ordinator / policy facilitator for the sustainable energy policy community. The Agency could play this facilitating role in areas where it could add value	NGO

* Political includes Government and EC stakeholders

Agency interviewees highlighted the Agency's approach to its **DEFRA sponsorship division** and an emphasis on **public profile** as potentially key threats to Agency policy advocacy effectiveness:

- *"At best, our DEFRA sponsors are neutral observers. At worst, they are obstructive. That can't be right. They have the potential to be our voice in Government. It depends on long term relationship building. I'm worried that the Agency is just writing off sponsorship division"* Agency
- *"Corporate Affairs Directorate (CAD) values our reputation with the general public. I'm less convinced that CAD values our reputation with Government"* Agency

Equally though, public profile can be enhanced through effective operations as well as policy advocacy, so the potential tension between the desire to influence policy and build Agency public profile should not be overstated. More broadly, one English Nature interviewee suggested that, in terms of working with Government, the most effective policy style had changed:

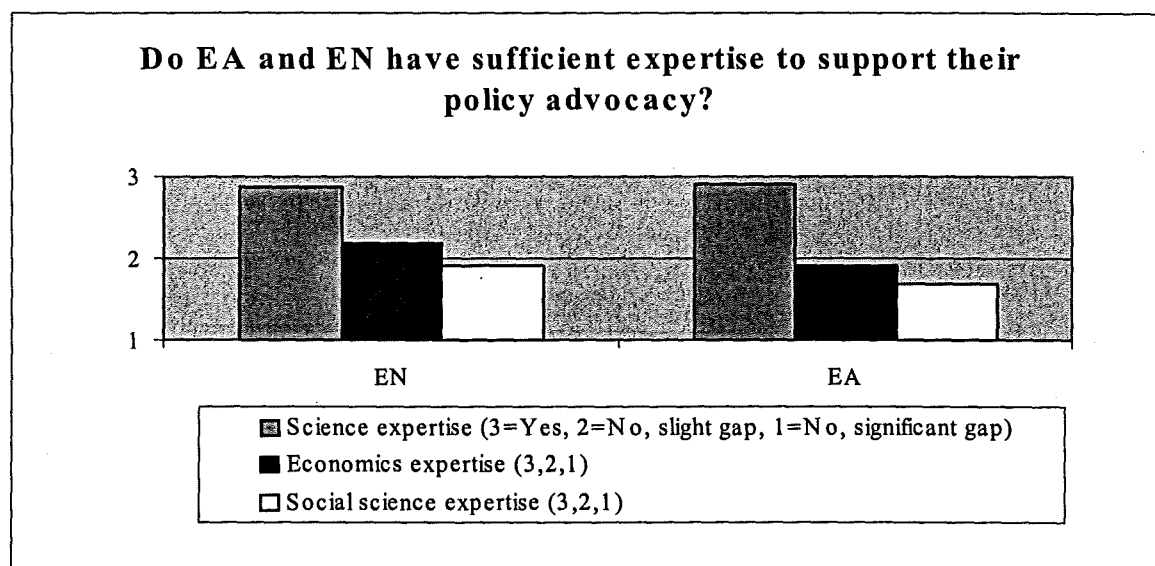
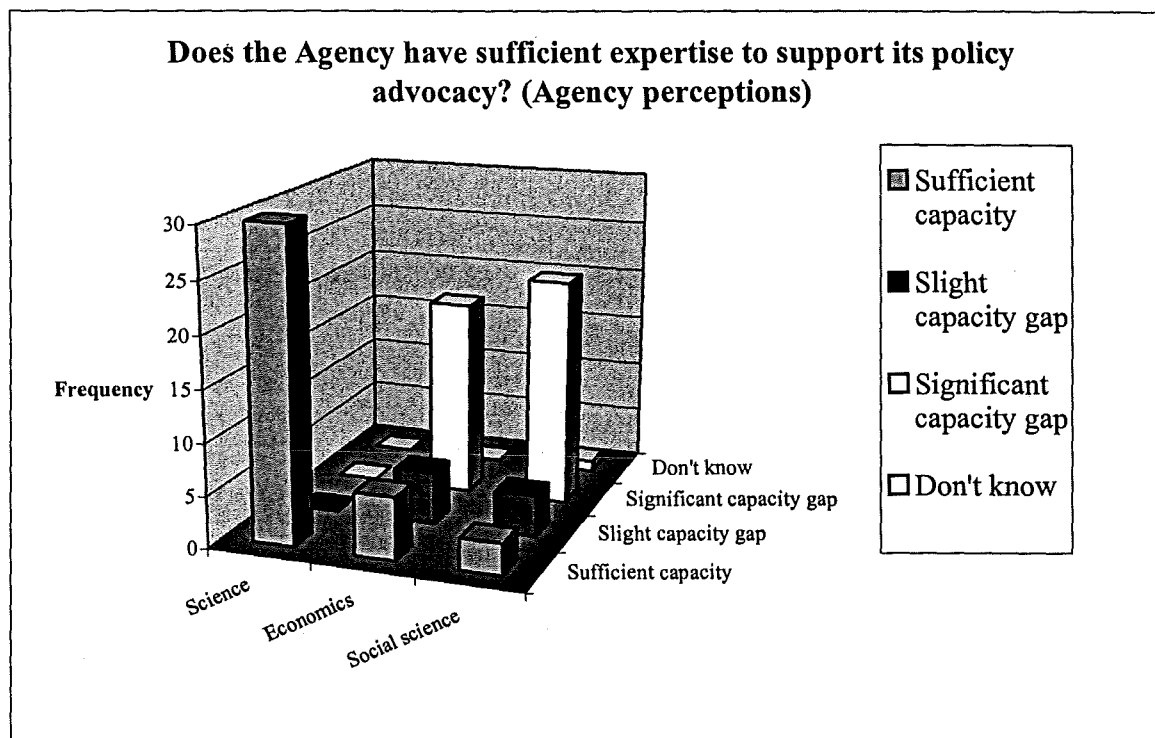
Old	New
<ul style="list-style-type: none"> • Closed policy communities • "We're English Nature / the Agency and you have to listen to us / take our advice" • One main relationship with central Government 	<ul style="list-style-type: none"> • Policy communities much more open • Call for more joined up working and policy integration, alongside more devolution • Need relationships with multiple Government departments and other actors

Moreover, such an analysis is consistent with the Government's White Paper on **Modernising Government**.⁹⁴ The new agendas of more open policy communities, policy integration and multi-level decision making (EU & International, UK, regional, and local) therefore present significant opportunities / threats to Agency and English Nature policy advocacy effectiveness.

⁹³ See: Letter from John Ashton, Head of Environment Policy Department, Foreign and Commonwealth Office (FCO), 17 November 2000 – to note the establishment of the EPD

⁹⁴ Modernising Government White Paper, Cm 4310, March 1999

11 Use of expertise to support policy advocacy



11.1 Scientific expertise: Perceptions and context

In general, there was a consensus that both English Nature and the Agency had sufficient scientific expertise to support their policy advocacy. This was seen to be an important strength for the organisations, particularly in context of changes within central Government:

"The civil service has been whittled down over the last 10 years. They have lost expertise and therefore competence... I think the DEFRA waste policy function now has a 50%+ turnover rate – i.e. it's unusual for anyone to have more than 2 years experience" Agency

The specific issue of transfer of expertise from central Government to the Agency has been explicitly acknowledged by DEFRA in the FMPR review of the Agency.⁹⁵ Moreover, Cabinet Secretary Sir Richard Wilson echoed the generic point about policy decentralisation in his 26 March 2002 speech on the future for the civil service:

*"The Fulton Report in 1968 set the ball rolling with an agenda which was hugely influential. It culminated in the major decentralisation of management functions to departments and agencies in the 1990s, the Continuity and Change White Paper in 1995 and the steady move to more open government."*⁹⁶

Both Agency and English Nature staff regarded maintaining scientific credibility as key to sustaining policy advocacy effectiveness:

Comment	Source
The Agency's credentials are as a damn good scientific and technical body. I have a high level of confidence in our technical nuclear expertise	Agency
We're good at technical issues. We're recognised as an important consultee, because of the quality of our comments	Agency
We have a 'golden rule' not to go out on a policy position unless its underpinned by good science. We take the scientific basis very seriously	English Nature
If Friends of the Earth get an issue wrong, they don't lose all their credibility, because people know they're a campaigning organisation. If we got an issue wrong, we would lose a lot of credibility and inside track status with Government	English Nature

However, many Agency interviewees also emphasised that, in general, more scientific expertise was not needed:

- *"We have too many scientists to support our policy advocacy. Scientists are very good at asking: 'what are the facts?' For policy advocacy, that's not big cheese. Once you know X is happening, you don't need to know all the parameters of X. What you do need to know is who cares about X and why"* Agency
- *"We have sufficient scientific expertise – we just don't use them very well"* Agency

Moreover, whilst it was recognised that the Agency had large quantities of scientific expertise, several external stakeholders raised concerns about Agency scientific and technical expertise keeping pace with the changing policy environment, particularly on waste:

⁹⁵ Page 25, Paragraph 2.6.3.1 DEFRA FMPR Stage 1 report, August 2001

⁹⁶ "The civil service in the new millennium: Portrait of a profession revisited." Speech by Cabinet Secretary Sir Richard Wilson, 26 March 2002

Comment	Sector
The Agency hasn't anticipated the future agenda sufficiently. There isn't enough composting expertise in the Agency	Political*
On some key waste policy areas, far from being an advocate of change – the Agency's regulatory work is holding it back. The Agency lacks expertise on composting – and it is appalling that the Agency has made so little progress on core issues such as composting standards and the legal definition of waste	Political*
The waste industry is shifting from a linear focus on landfill to a cyclic emphasis on materials and energy recovery, and Agency policy advice hasn't kept up with the pace of change. The Agency hasn't got enough recycling and composting expertise	Business
The Agency has been blocking solutions. It has been foot dragging on composting standards.	NGO

* Political includes Government and EC stakeholders

Several Agency stakeholders also argued for more scientific and technical expertise on **health** issues, given the status of health as a priority Government concern.

11.2 Scientific expertise: Moving forward

The Government / Political comments above underline the value of **horizon scanning** to anticipate requirements in terms of new expertise, and the Agency has recently begun to put arrangements in place for such activity.⁹⁷ The Agency comments above imply that it is primarily the framing of the overall issue and the socio-economic context in which specific scientific points are placed that needs to be improved, given that – in general – the existing depth of Agency scientific understanding is strong.

BOX 13: To move forward, the Agency could integrate into its horizon scanning process the need to consider requirements for new expertise (such as, for example, the possible need for additional expertise on health and recycling / composting issues).

The Agency is also in the process of developing a **Science Plan / Strategy** and **Key Science Questions**, in context of its new Environmental Vision.⁹⁸ However, there were some Agency concerns about this process:

- *"The Science Plan is not policy relevant enough. It needs to be policy led, not science for science sake. The Plan is too dominated by the EP directorate – we should be taking a whole organisation view"*
- *"We should take a broad view of science – including economic and social science. EP directorate are constraining the boundaries and scope of our science"*
- *"We can be introspective. If we'd involved external stakeholders in developing our Key Science Questions, we'd have ended up with a very different document"*

⁹⁷ See: Science policy and the Environment Agency: Implications from OST Guidelines 2000 and the Inquiry into BSE. Draft 1, 1 December 2001

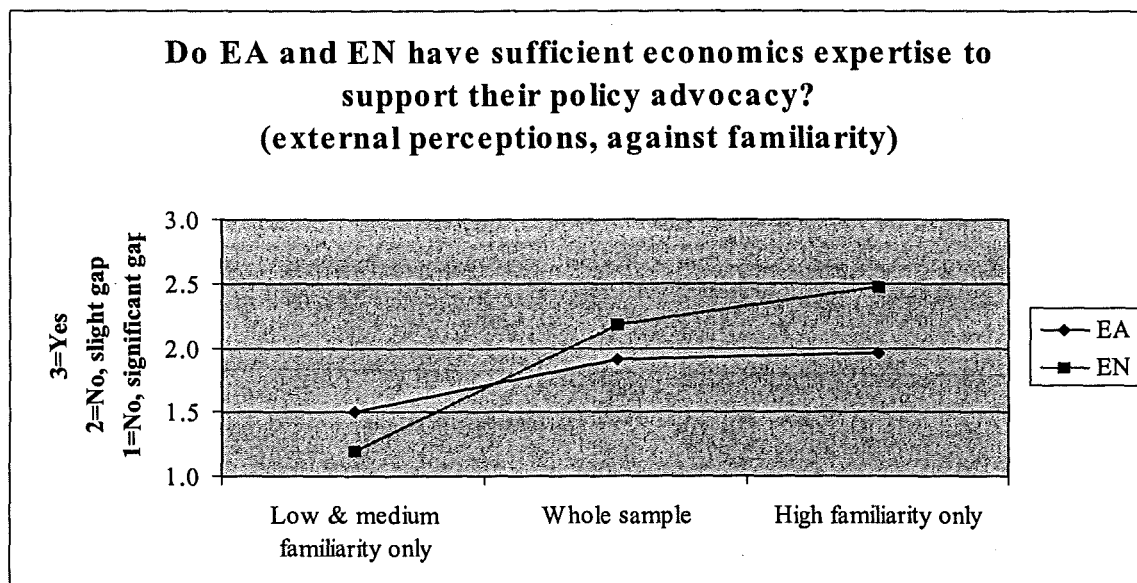
⁹⁸ A Science Strategy for the Agency. Draft 5, 10 January 2002. Annex 3: Key Science Questions; Draft 6, 11 February 2002

BOX 14: To move forward, the Agency could host a workshop on the Science Plan with external stakeholders, including policy stakeholders, to inform its future development. Directors' Policy Steering Group could also be asked to consider the Science Plan from a policy advocacy perspective

There has also been significant Government policy development with respect to science, notably focusing on when science is in a state of risk and uncertainty. Key developments include the **OST guidelines on scientific advice and policy making**⁹⁹, and the project by the **Cabinet Office PIU** on improving the Government's management of risk and uncertainty¹⁰⁰.

However, for the Agency to be able to contribute effectively to these developments – for example by identifying the spaces where risk assessment has to be set-aside, and uncertainty takes centre stage – primarily requires more of an understanding of social rather than scientific issues. This has been underlined by the **Royal Commission on Environmental Pollution**, who have advocated a better balance be struck between the use of scientific, technological and economic data, and the values of ordinary members of the public, through greater use of public participation processes.¹⁰¹

11.3 Economic and social expertise: Perceptions and context



⁹⁹ Guidelines 2000: Scientific advice and policy making, OST, July 2000

¹⁰⁰ PIU project on risk and uncertainty. See: <http://www.cabinet-office.gov.uk/innovation/2001/risk/scope.shtml>

¹⁰¹ Royal Commission on Environmental Pollution. October 1998. 21st Report. Setting Environmental Standards, HMSO

Do the Agency and English Nature have sufficient social science expertise to support their policy advocacy? (External perceptions) 3 = Yes, 2 = No, slight gap, 1 = No, significant gap			
Average external score (out of 10, mean)	Low & medium familiarity only	Whole sample	High familiarity only
EA	1.4	1.7	1.7
EN	1.8	1.9	1.9

External stakeholders felt that both the Agency and English Nature needed to strengthen their social science capacity to improve their policy advocacy effectiveness. However, on economics, many stakeholders more familiar with the organisations suggested that whilst the Agency had a slight capacity gap, English Nature had sufficient expertise. Comments from external stakeholders were as follows:

Comment	Sector
I'm not sure the Agency considers issues that are of importance to Government – for example costs to business, and the social context	Political*
The Agency is too single minded. I often see people with incredible vertical expertise but very poor capability as to joining up horizontally with others in the Agency. Lack of economics experience significantly undermines Agency advocacy credibility.	Political*
Social science is a significant gap given the Agency's need to contribute to sustainable development. Waste, for example, is very behavioural, so more social expertise would be good in this area.	Business
I'm still periodically horrified by some of the poor economic understanding and analysis on agriculture issues, particularly in the Agency	Business
English Nature started hiring economists a few years ago and you do notice the difference. The Agency is too techy – a lot of policy talk is about economics. I'm talking about economic policy analysis and advocacy rather than costs to industry – I recognise that the Agency has done some economics with respect to its operations and regulatory implementation	NGO
English Nature work with the Countryside Agency, which adds real value to English Nature policy advocacy, as Countryside Agency are more into the social agenda and have a better understanding of the social issues	NGO

* Political includes Government and EC stakeholders

In particular, Government / Political and Business stakeholders emphasised the need for greater diversity in Agency expertise, in order to contribute more effectively to the development of **policy packages**. As one Government / Political stakeholder put it: "The Agency needs to improve its effectiveness with respect to non-regulatory policy instruments – so that it can see the world in policy packages. Currently, the Agency risks building up consultants' expertise without the ability to understand them"

Agency interviewees also argued that the organisation needed to strengthen its economics and social science capacity to improve its policy advocacy:

Economics	Social science
<p>"There is so little grasp of environmental economics in the organisation, it compromises our advocacy effectiveness."</p> <p>"The Agency is looked at as a bit naive – we don't understand all the pressures Government has to take into account".</p> <p>"We just don't understand industry sectors. We're not putting enough resource into policy analysis on economic instruments."</p> <p>"When the RDA SD strategies were written, the Agency could have been more effective with more economics internally."</p>	<p>"People in the Agency don't understand the value of social science, yet we're trying to influence behaviour. We have a real opportunity to make links between science and social science, and we've really got to do this to be effective given that we're talking about behaviour change."</p> <p>"We will not get much better at influencing unless we relate our environmental concerns to the social and economic context. This becomes obvious once you start considering real world examples such as our work on the Thames Gateway"</p> <p>"Our R&D is far too detailed – it needs to become more policy relevant and social scientists can help with this."</p> <p>"Decision making in reality is made very much on political / social / economic grounds rather than scientific fact. So we have to understand the social and economic factors in decision making. Science are facts but perceptions are realities."</p>

Moreover, as the Agency noted in its Environmental Vision:

*"Environmental issues cut across both economic and social concerns, and this fact must be embraced if we are to deliver sustainable solutions... for organisations like the Agency this means challenging new ways of working that will allow us to contribute more to 'joined-up' solutions. The Agency is committed to meeting this challenge and to pursuing sustainable development"*¹⁰²

*"The Agency needs to be more aware of the social issues raised by its work in protecting and improving the environment: for example the needs of people in poverty who often live in the most polluted neighbourhoods"*¹⁰³

¹⁰² Page 18, An Environmental Vision – The Environment Agency's Contribution to Sustainable Development. Environment Agency, 11 January 2001.

¹⁰³ Page 10, An Environmental Vision – The Environment Agency's Contribution to Sustainable Development. Environment Agency, 11 January 2001.

Several English Nature staff highlighted the **English Nature socio-economic advisory group** as a useful means of providing a link between English Nature and external socio-economic researchers¹⁰⁴, and emphasised the value of economic and social expertise:

- “Aligning with the social dimension of sustainable development – social inclusion, education etc – is a corporate survival issue. Voters count, and we need to connect to people”
- “We’ve recognised the gap on social issues, and have just taken on a senior policy advocate in this area”
- “At the regional level, we’re screaming for more help on economics – but investment needs to be clear and targeted”

However, in order to significantly enhance policy advocacy effectiveness, developing specific expertise in new policy instruments may need to be combined with other forms of capacity building. In particular, some Agency interviewees stressed the need to improve policy advocacy communications based on a “better understanding of the **policy and political process**”. Significantly, the July 2000 **external review of the Environment Agency’s Sustainable Development R&D Programme**¹⁰⁵ reached the same conclusion.

11.4 Economic and social expertise: Moving forward

In terms of policy advocacy, the Agency Economics Business Plan¹⁰⁶ notes that an additional economist (cost ca £40k pa) could achieve:

- 2 in-depth policy analyses per annum, similar to work being done on agriculture OR
- 4 regions supported in liaison with RDAs and regional industry

Policy advocacy priorities identified within the Social Policy Business Plan¹⁰⁷ include a need for additional resource in the areas of: urban regeneration, waste, climate change, and flood risk management.

BOX 15: To move forward, the Agency could **prioritise investment in its economic and social science capacity, to improve integration of economic and social issues into Agency policy advocacy**

¹⁰⁴ English Nature Socio-Economic Advisory Group – Composition and Terms of Reference.

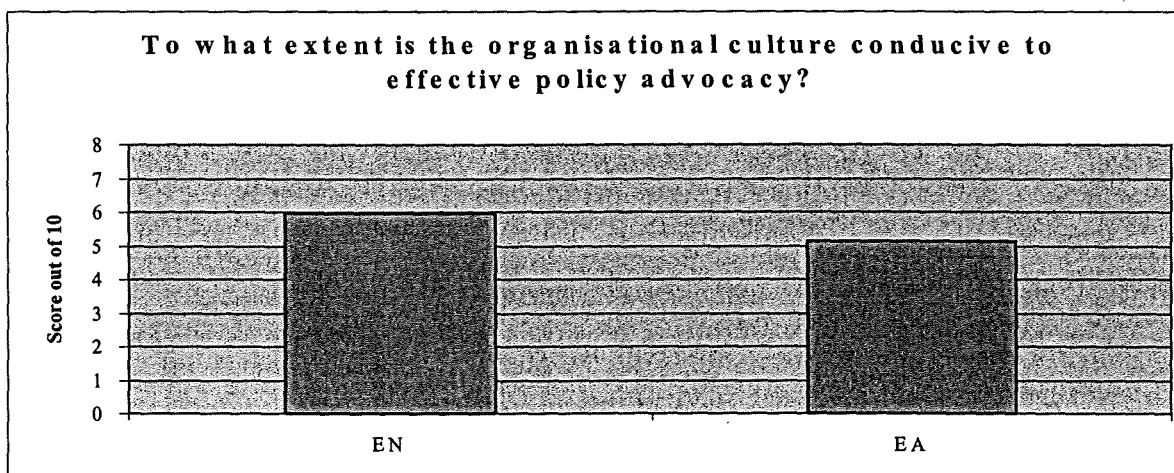
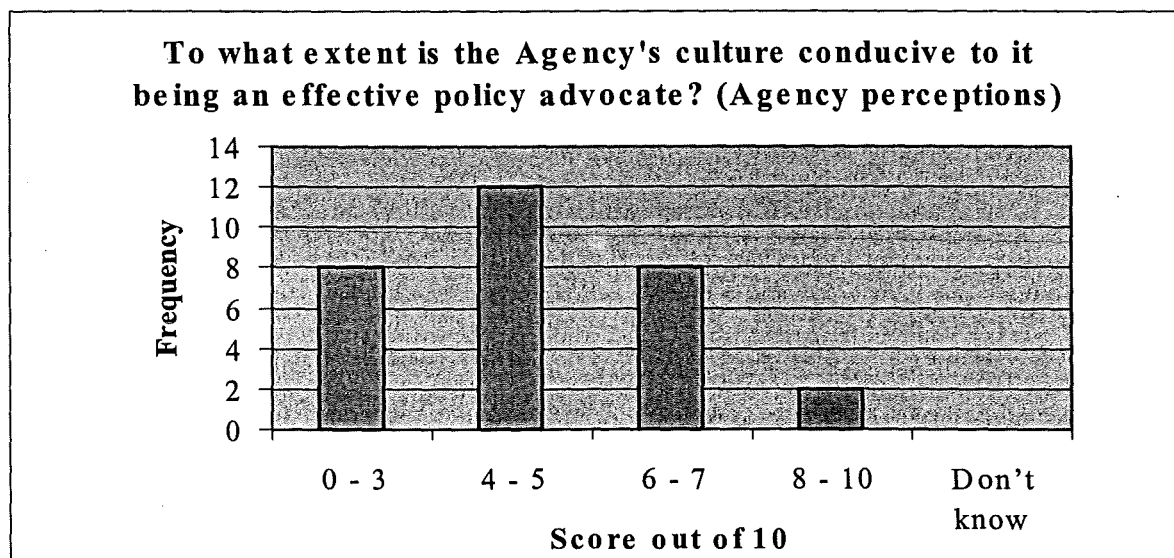
¹⁰⁵ External review of the Environment Agency’s Sustainable Development R&D Programme, Jim Skea, Policy Studies Institute, London. July 2000

¹⁰⁶ Ronan Palmer, Draft Business Plan for Economics 2001/2 – 2004/5. Revised by Ronan Palmer 30/5/02 (in comments on policy advocacy emerging findings document)

¹⁰⁷ Social policy in the Agency: Current and future business positions. John Colvin, 20 December 2001

12 Organisational culture

As the graphs and comments below show, whilst most Agency staff regard effective policy advocacy as a significant challenge to the Agency's organisational culture, opinion is nevertheless divided:



To what extent is the organisational culture conducive to effective policy advocacy? (External perceptions)			
Average external score (out of 10, mean)	Low & medium familiarity only	Whole sample	High familiarity only
EA	5.3	5.1	5.1
EN	5.9	6.0	6.0

External stakeholders (both those more and less familiar with the organisations) tended to regard English Nature's culture as slightly more conducive to effective policy advocacy than the Agency. However, the average figures in the tables and graphs mask some

significant differences in opinion. In particular, those external stakeholders placing emphasis on technical policy generally scored Agency culture more highly, whilst those stakeholders more interested in strategic issues tended to argue that Agency culture was poorly suited to policy advocacy. The following comments from external stakeholders offer further insight:

Comment	Sector
<i>Modernising Government:</i>	
English Nature is more modern, open, and approachable. They have adopted Modernising Government. The Agency is sometimes very elusive.	Political*
The Agency is too complicated. It's difficult to know who in the structure I should be talking to. It's very difficult to get decisions on issues, as it's not clear who's leading. Staff aren't always very empowered to make decisions	Political*
There's a lot of 'jobs worth' people in the Agency who just want to do what they're told. It's like: 'I'll give you all the facts but I'm not going to have an opinion'. I wouldn't blame staff though – it's a deeply held organisational cultural issue. The top of the Agency needs to delegate more responsibility	Political*
No-one quite knows who to talk to at the Agency. At English Nature, there's a Policy Director that can speak for the organisation. There isn't at the Agency. Will the new Head of Policy be able to speak for the Agency?	NGO
<i>Pride and mission:</i>	
Agency people have no pride in the organisation – only that bit which they work for, be it waste, water resources or whatever	Political*
Distinct splits exist between those that are ex-NRA, ex-HMIP, and ex-WRA. It's almost like warring factions. It doesn't look too good from the outside	Political*
People at English Nature regard their work as more than just a job. They care. There's a principled Green commitment. The Agency attracts more scientific people. There's much less of a sense of 'mission' in the Agency	Business
The Agency must stick to the science in a very uncompromising way. It should be a source of truth and reason. It must accept that policy is for the politicians and the Agency is for the environment. Business respects that	Business
English Nature's area of responsibility is more defined, and they use high profile opportunities effectively. The Agency is more like the civil service, focusing on why things can't be done	NGO
<i>Operations, implementation and policy advocacy:</i>	
Agency culture is an implementation and operations culture. English Nature is much more of a policy advisor	Political*
Agency operations have taken priority over influencing. The organisational culture seems to lag the official 'policy' at Director level of the Agency becoming more of an influencing organisation	Political*
The Agency is changing on policy – its almost like the offspring that has outgrown the parent	Business
The Agency has been a traditional regulator, so has a poor culture from a policy advocacy perspective	NGO

* Political includes Government and EC stakeholders

12.1 English Nature organisational culture

English Nature's culture may be more conducive to engagement in policy advocacy given the combination of its operational responsibilities and the basis on which it was established:

- *"English Nature's culture might be different because they haven't got nearly as much regulatory clout. A lot of what they do has got to be agreed by negotiation. They have far less scope – as we do – to say: 'This is our job, we're in charge, you have to do what we say.' Their mindset is much more understanding of broader issues because their work is less about point source pollution and more about whole ecosystems – so they need to look at the whole system"* Agency
- *"The Agency wasn't originally set up to do policy advocacy. It lends itself to being a source of information and expertise more than a policy advisory service"* Government / Political

However, Business, NGO, and English Nature staff were keen to emphasise the degree of organisational change that has occurred within English Nature:

Comment	Sector
English Nature policy advocacy has improved greatly in the last couple of years. They used to be a bunch of scientific anoraks.	Business
English Nature policy advocacy has improved dramatically over the last few years. They used to be a very scientific organisation – they could tell you how many angels you could get on a pin. Now they've become a much more people centred and politically aware organisation, willing to stick their necks out a bit	NGO
Policy advocacy has only recently been mainstream. Previously there's been this feeling that policy work has been an add on to our nature conservation implementation. Over the past 4 years, we've created new policy posts and involved general managers as well as Directors. There used to be a lot of caution towards our work on environmental taxation. This has changed.	English Nature
We have become more of a forceful and external advocate of change. We used to be more timid.	English Nature

Whilst most English Nature interviewees emphasised that the organisation has become more policy advocacy focussed, some argued that the organisational culture remains divided and that further mainstreaming of the social dimension of sustainability is still required:

- *"English Nature culture is still split. The view that we're a science organisation doing scientific research still remains, even though it's not held by senior management"*
- *"Our culture is that we're an organisation deeply involved in operational delivery. Countryside Agency don't have the same implementation responsibilities, so they are skewed towards policy advocacy"*
- *"We're still a bit blinkered – too focussed on nature conservation. We don't have enough regard for wider social considerations"*

12.2 Agency organisational culture

Agency interviewees identified the following features of Agency culture as issues to be addressed for the Agency to improve its policy advocacy effectiveness:

Headline	Agency comments
<i>Legacy of the predecessor bodies</i>	<ul style="list-style-type: none"> • There isn't a Agency culture. It's still based around functions. If you work in waste, you're a waste person. If you work in water, you're a water person • People from a technical civil service background (eg HMIP) have the attitude of 'implement – just do what the Minister wants'. Others came from a local operations background, so very few people have worked in places where you can make a difference nationally
<i>A victim culture</i>	<ul style="list-style-type: none"> • We've had a victim culture – waiting for policy to be thrown at us, and then carping when things didn't work. Now we're growing up as an organisation, contributing our views to policy development, and sharing policy responsibility for the outcomes which result • We've got all these new duties, not enough money, and nobody loves us
<i>Change won't happen</i>	<ul style="list-style-type: none"> • Believing in the possibilities of change and being visionary is not taken seriously, and the further from now you go, the worse the standard Agency reaction gets • Your average person issuing waste licences will feel that there's nothing they can change – either internally or externally" • Head Office lawyers are forever saying 'you can't do this' – not 'this is what we need to change'
<i>Operations and implementation focus</i>	<ul style="list-style-type: none"> • Lots of people – including some Directors – passionately believe the job of the Agency is to do operations and implement regulations. The 'stick to your knitting' crowd. It's just as well we've now got a CEO that likes meddling around with policy • The Agency has an operations and implementation focus • Hardly anybody within the Agency thinks policy advocacy is their job... we need to get everybody in the Agency to see their role as relevant to policy advocacy
<i>Risk averse culture – sticking to facts</i>	<ul style="list-style-type: none"> • Our natural inclination is to restrict ourselves to making statements about absolute fact. Because we have very little fact we have tended to say very little. Saying nothing is the safer option. We're cautious, risk averse, shy for a battle
<i>Science fundamentalists</i>	<ul style="list-style-type: none"> • We have a strong belief in the primacy of reasoned argument. We think if you tell people often enough and loud enough, and you give them the facts, they will be convinced. Starting positions, trust, context, and power relations – these are issues that probably don't cross most Agency staffs' mind... The truth is, we ignore the rules of argument • Views aren't valued unless they're science views • There's a scientific fundamentalism in the Agency. It's almost as if you're selling out your beliefs if you compromise
<i>Bunker mentality</i>	<ul style="list-style-type: none"> • We don't value trust building with external stakeholders. We have a bunker mentality • If we'd involved external stakeholders in developing our Key Science Questions, we'd have ended up with a very different document

12.3 Moving forward internal change in the Environment Agency

Having noted these comments, many of which may sound negative, it is important to highlight that Agency staff also stressed the many opportunities – both internal and external – to turn things around.

In particular, Agency staff highlighted a number of internal developments key to the Agency's developing advocacy role:

- Board commitment to the Environmental Vision¹⁰⁸ and adoption of a political influencing strategy¹⁰⁹, refocusing the Agency around environmental outcomes¹¹⁰
- Leadership by Chairman and Chief Executive in supporting the Vision and Making It Happen¹¹¹, and in mainstreaming policy advocacy into a defined framework involving Directors' Policy Steering Group¹¹², a Policy Unit, and policy advocates

External stakeholders also emphasised the new Chief Executive and Chairman as being central to the Agency's developing interest in policy advocacy:

Comment	Sector
The first Chief Executive and Chairman didn't value advocacy. They didn't realise that the Agency had a small political role of convincing Ministers that things have to change	Political*
Barbara Young and John Harman [the new Chief Executive and Chairman] are much more interested in policy. Ed [the previous Chief Executive] was obsessed with 'men with mud on their boots' and decentralisation	Political*
The Board under Lord De Ramsey was not interested in policy advocacy. He wasn't a policy person. Sir John Harman has moved the Board forward. I'm a bit surprised Barbara hasn't moved things on faster in the Agency – though I understand it's a big cultural change	NGO

* Political includes Government and EC stakeholders

¹⁰⁸ An Environmental Vision – *The Environment Agency's Contribution to Sustainable Development*. Environment Agency, 11 January 2001.

¹⁰⁹ Highlighted by the Head of Parliamentary and Government Relations at a workshop of the Policy Advocacy R&D project, 26 January 2001

¹¹⁰ "We will not be able to deliver our Environmental Vision outcomes by regulation alone." Chairman's speech to Environment Agency waste policy stakeholder forum, 10 December 2001

¹¹¹ The vision for our environment: making it happen. Environment Agency, November 2001

¹¹² Directors' Policy Steering Group Terms of Reference also include overseeing the development of policy priorities, agreeing the annual policy programme, and ensuring the effective evaluation of policy

However, stakeholders from both Government / Politics and the Agency felt that there remained a need to develop more of a *shared understanding* of the definition of policy advocacy across the organisation:

Comment	Sector
I get a lot of corporate brochures, bumpf, and low level PR from the Agency. I don't get enough targeted policy material	Political*
Much of the Agency's investment in influencing should be recognised for what it is – PR in relation to our operations and implementation. Of course, this has a role, and it involves communicating and influencing, but it's not policy advocacy. Policy advocacy is about arguing for specific, focussed changes in terms of strategies, plans, targets, regulations, taxes, tradable permits, negotiated agreements, and public spending	Agency
We need to restore the primacy of the message over the communication. Advocacy suffers because it is seen as spin internally. We need to restore the internal credibility of policy positions first	Agency

* Political includes Government and EC stakeholders

BOX 16: To move forward, more emphasis could be placed on developing robust policy analysis. This could help further embed in the Agency the difference between policy advocacy and general corporate communications

Furthermore, it is also important not to see the issue as only about *Agency culture*. It may in fact be particularly important for the Agency to see change as a long term process, not least as several interviewees alluded to a “cultural challenge” facing central Government as it allows implementers of policy to be more involved in policy design. In his former role as leader of Kirkless Council, Agency Chairman Sir John Harman commented:

*“Shortly after the poll tax demarche, a senior civil servant involved confided that he had never doubted that it would work. ‘You see’, he said, ‘we in the civil service possess the intellectual rigour to produce legislation for any policy which the government adopts; and we can always rely on you in local government to manage it regardless of how ill-conceived it is.’... This caricature of the civil servant as Times crossword solver and the local government manager as boiler room mechanic is amusing and sad in equal proportions. Amusing because what it says about the culture of our systems of public administration is partly true; and sad for the same reason”*¹¹³

¹¹³ Only Connect: Culture and dysfunction in British Public Service. Discussion paper for the Local Government Association. Sir John Harman, Christmas 1998

Stephen Tindale has also argued¹¹⁴:

"Do not imagine that any amount of institutional rearrangement will cure the long-standing and severe problems of the British civil service, explained most memorably in the classic Fabian pamphlet The Apotheosis of the Dilletante in 1963 and most comprehensively by the Fulton Report six years later. Depressingly little has changed since then."

However, important changes now lie on the horizon – both specifically in terms of the EU White Paper on Governance and the Modernising Government agenda, and more generally, in terms of the increasing shift in power away from central Government and up to EU and down to regional level. As such, the Agency's desire to contribute more to the policy process may not be before time.

BOX 17: To move forward, Agency Directors could underline the new organisational commitment to policy advocacy, for example by:

- **raising the internal profile of the overall corporate position statements and underlining their status**
- **amending the title of the Director of Water Management to Director of Policy and Water Management**
- **committing to regular evaluation of the organisation's policy advocacy effectiveness**
- **committing to a 2005 aim for Agency strategic policy advocacy, as seen by stakeholders, to be significantly better, measured against both 2002 and English Nature performance**

¹¹⁴ Stephen Tindale (Special Advisor to the Environment Minister 1997-2000 and now Director of Greenpeace), speaking on "is the DETR sustainable?" to the IPPR, 24 January 2001

13 Specific examples of Environment Agency policy advocacy effectiveness

Five specific examples where the Agency has effectively influenced policy development are considered below. These are:

1. DEFRA Environment Agency Financial, Management and Policy Review (FMPR)
2. Environment Agency June – December 2001 waste policy advocacy process
3. AMP3 Periodic Review process
4. 'Bridging the Gap': Influencing environmental reporting requirements
5. Influencing the development of the Water Framework Directive

In each case, the issue is outlined, influencing achievements are identified, and consideration is given to reasons for effectiveness and wider lessons learned.

13.1 DEFRA Environment Agency Financial, Management and Policy Review

The issue

All Non-Departmental Public Bodies (NDPBs) – including the Agency – are subject to an FMPR every 5 years. The purpose of such reviews is to assist in the improvement and modernisation of public services by providing external scrutiny of the organisation and performance of bodies providing key public services.¹¹⁵ Given that the Environment Agency is a relatively young organisation, this FMPR – announced by the Environment Minister in answer to a parliamentary question on 8 December 2000 – is the organisation's first quinquennial review.

Influencing achievements

Those in the Agency familiar with the FMPR argue that the Agency has been influential. Of those external interviewees aware of the Agency input to the FMPR process, all said they felt the Agency had been influential player. However, some suggested that the Agency had focussed on minimising threats more than seeking opportunities for change:

Comment	Sector
The Agency effectively influenced the FMPR. I was lobbied like hell to say positive and helpful things, which I did. I was surprised though how nervous senior Agency staff were about the FMPR. Environment protection needs a powerful national advocate at arms length from Government	Political*
The Agency was effective in influencing the FMPR, though the FMPR was seen by the Agency as a threat to change to be minimised, and not as an opportunity for change	Political*
The Agency was influential in the FMPR. It took a positive approach	Business
The Agency was effective on the FMPR process. Barbara Young put a lot of effort into it. There was a lot of effort lobbying and working with others.	NGO

* Political includes Government and EC stakeholders

¹¹⁵ Aims and objectives of the DEFRA FMPR of the Environment Agency. Page 7, DEFRA FMPR Stage 1 Report

An Agency paper for Directors reviewing the FMPR influencing strategy argues: "In general terms we can gain some satisfaction... many of the key points drawn out reflect and support our position... there are no particular surprises on the issues where respondents are critical or less supportive"¹¹⁶. Moreover, many of the Agency's key influencing outcomes have been achieved:

Priority outcome sought by Agency influencing ¹¹⁷	Stakeholder ¹¹⁸ views highlighted in DEFRA FMPR Stage 1 report	Outcome achieved?
Retention of a unified Environment Agency in England and Wales	Almost unanimous support for single integrated Agency. Almost unanimous opposition to separate Agency for Wales	√
Acceptance of the Agency's Vision of "modernising regulation"	Most respondents in favour of a risk-based approach to charging, but there is some concern about the administrative practicality of an incentive based approach	√ (Vision accepted, albeit with some concern as to administrative practicalities)
New sponsorship arrangements aimed at a strategic level and focussed on delivering environmental outcomes	There is a strong feeling that the Agency should have specific measurable targets based on environmental outcomes	√ (High level strategic co-ordination group between Agency and Government established ¹¹⁹)
To reduce the barriers to integration and successfully promote changes in future legislation	Most respondents believe Agency should be responsible for implementing Government policy and providing specialist advice on policy issues	√ (DEFRA's proposed new section 4 guidance gives the Agency a statutory policy advice role)

It is of course difficult to be certain about the extent to which the Agency's FMPR influencing strategy has played a role in the generally beneficial outcome of the FMPR. However, the Directors paper reviewing the influencing strategy¹²⁰ claims three important achievements:

- Encouraging a number of friendly and supportive organisations to put time and effort into responding, and to reflect our positions when they were not inclined to give the matter priority
- Significantly shifting the tone and content of some responses (e.g. LGA) to achieve more balance and put perceptions and impressions in context
- Helping some organisations broaden their impact (e.g. CBI on the modernising agenda / benchmarking) and moderating the criticisms of hostile organisations (e.g. the ESA)

¹¹⁶ Paragraph 2.2. FMPR Influencing Strategy: Next Steps. A paper for Directors by David Mead, Head of National and International Relations. 2 May 2001

¹¹⁷ Paper 1: Preferred outcomes from FMPR. Environment Agency. FMPR Briefing Papers, October 2000

¹¹⁸ DEFRA received a total of 174 written consultation responses to the FMPR of the Environment Agency. These came from a wide range of stakeholder groups: business (38 responses), Environment Agency and its committees (33), local and regional government (24), other public bodies (18), NGOs (50) and individuals (11). Page 67 (Annex C), DEFRA FMPR Stage 1 report.

¹¹⁹ Paragraph 2.6.3.5, page 26, DEFRA Environment Agency FMPR Stage 1 report, August 2001

¹²⁰ Paragraph 2.3. FMPR Influencing Strategy: Next Steps. A paper for Directors by David Mead, Head of National and International Relations. 2 May 2001

Reasons for effectiveness and wider lessons learned

Agency interviewees highlighted the following reasons for the Agency having been effective in influencing the FMPR process and identified wider lessons learned:

FMPR Influencing: Reasons for effectiveness

- “We were clear on our strategic goals, did good factual analysis, and put effort into influencing”
- “We were effective because we were seen by DEFRA as helpful”
- “We were invaluable to DEFRA – they found us very helpful. They would have found it very difficult to conduct the FMPR review without us, as they were learning from scratch”
- “We got everyone in the Agency on board. Directors, the Board, all regions, all areas, regional committees, Environmental Strategy Directorate etc. We did lots of presentations in person to get input from a very diverse range of people”
- “We targeted key stakeholders, and used Chairman / CEO / Board contacts.”
- “We had a dedicated resource – 3 Agency FTEs were allocated to the FMPR process”
- “We saw the FMPR as an opportunity not a threat. In the end, very little change has happened apart from what we’ve suggested ourselves”

FMPR Influencing: Wider lessons learned

- “We need more pro-active management of our relationships with key external organisations, particularly at national level. We had to make a lot of effort, as we were starting with a lot of relationships which were cold / hostile”
- “DEFRA didn’t like the fact that we argued *in public* with British Waterways about the future of Navigation (through letters to key newspapers etc). We should have raised with the Environment Minister the Navigation issue at a much earlier stage. That way, we could have closed down the issue sooner”

13.2 Environment Agency June – December 2001 waste policy advocacy process

The issue

The June – December 2001 Agency waste policy advocacy initiative was developed in response to calls for the Agency to become more of an outward looking organisation, contributing its experience and expertise more to assist policy development on the environment¹²¹. The aims of the waste advocacy process were two-fold:

1. To develop the Agency’s position on waste for the purpose of policy advocacy with Government
2. To enhance the Agency’s overall policy advocacy effectiveness

Three policy working groups were established for a small number of policy areas identified as being key to the sustainability challenge of moving from waste to resource management. Policy Working Groups were structured around the following policy areas: 1) Placing resource productivity centre stage in sustainable waste management, 2) Economic instruments and incentives for reduction, re-use and recycling, and 3) Producer responsibility. The policy working groups included a range of Government, Business and NGO stakeholders. Membership of the groups is given at Appendix 3.

¹²¹ On launching the Environment Agency’s Vision, the Environment Minister Michael Meacher MP underlined that “one partnership which I particularly value is your policy advice to Government”. 11 January 2001

The group discussions were tasked with the overall aim of: *Promoting the rethinking of waste as a resource, by highlighting examples of good practice, by helping the Agency recommend to Government policy changes to multiply such practices, and by identifying relevant policy development opportunities.* The specific outcomes set for the workshops were as follows:

Workshops	Outcomes
Wave A June / July	<ul style="list-style-type: none"> • To build understanding of stakeholders' positions and policy context • To agree policy areas / themes for discussion in WAVE B workshops
Wave B September	<ul style="list-style-type: none"> • Constructive analysis of stakeholder policy recommendations for the agreed policy areas / themes – e.g. the extent to which each is short / long term, significant / insignificant, and suggestions for improvement
Wave C December	<ul style="list-style-type: none"> • To map opportunities to promote the shift from waste management to sustainable resource management, in context of interim Agency policy positions

Influencing achievements

All Government / Political, Business, and NGO stakeholders aware of the Agency's June – December 2001 waste policy advocacy work commented that it improved their "Agency waste policy advocacy effectiveness" score. More specific achievements, as set out in a paper to Agency Directors¹²², are given below:

¹²² Lessons learned from June – December 2001 Waste Policy Advocacy Process. Paper (Item 3.2) to Directors Policy Steering Group, 6 June 2002

Aim	Evidence of achievement
1. To develop the Agency's position on waste for the purpose of policy advocacy with Government	<ul style="list-style-type: none"> • Creation of the Agency's overall corporate waste position statement¹²³ and 10 Point Plan, presented at the November 2001 DEFRA Waste Summit • Significant contributions to the Agency's response to the DTI Renewables Obligation, and to a paper for HMT on economic instruments majoring on waste, in context of the Pre Budget Report. • A report exploring the policy context for waste, identifying the degree of stakeholder support for different policy options. This has been used to help produce a draft waste advocacy plan.
2. To enhance the Agency's overall policy advocacy effectiveness	<ul style="list-style-type: none"> • Significantly enhanced policy credibility on strategic waste issues with key stakeholders – 50% of stakeholder feedback described the process as 'very good', with the remaining 50% calling it 'good'. • The process played a significant role in helping build up the broad base of stakeholder pressure which led to the Government decision for a Cabinet Office review of Waste Strategy 2000. • Agency (Paul Leinster) representation on the Cabinet Office PIU Waste Project Advisory Group. In April 2001, the PIU draft waste study document did not include the Agency in their list of stakeholders.¹²⁴ The advocacy process involved Cabinet Office PIU from the start and the final workshop of the series, addressed by Agency Chairman Sir John Harman, included Cabinet Office PIU representatives leading the review of Waste Strategy 2000. • Very positive and timely coverage of the Agency on waste in specialist press (ENDS), in context of Cabinet Office PIU review of waste policy¹²⁵. Whilst the process did not deliver any mainstream media coverage for the Agency, this was not a primary objective.

Reasons for effectiveness and wider lessons learned

In giving feedback, stakeholders involved in the waste policy advocacy process highlighted the following reasons for the process making an effective contribution to policy development¹²⁶:

Waste policy influencing: Reasons for effectiveness
<ul style="list-style-type: none"> • Well thought through process for sharing different stakeholder understanding and developing joint learning as well as much clearer and more integrated agency policy position. • Input at early stage from stakeholders should prove valuable. • Highlights the importance of making use of existing information for directing policy and public activity. Good for high-level overview to prioritise the issues. • Very pleased at the level of buy-in by "quality" people • It gave me the opportunity to learn about the Agency attitudes and perspectives. Plus I felt very strongly that the Agency representatives were very open to understanding and taking on board external perspectives. A very good indicator was to see "flavours" of the discussions that had been held, in the Agency communications on waste. • This is a good technique for getting high level policy thinking going in the world • Interesting, stimulating and useful. I was impressed by general calibre of participants and good energy level of groups.

¹²³ <http://www.environment-agency.gov.uk/commondata/105385/waste.pdf>

¹²⁴ Cabinet Office PIU draft waste case study scoping note, as at 25 April 2001.

¹²⁵ Pages 16-17, ENDS Report 322, November 2001

¹²⁶ Environment Agency Waste Policy Development Process: Summary of stakeholder feedback. Philip Douglas and Helen Chalmers, January 2002

In addition, stakeholders involved in the process identified the following issues to be addressed to further improve the effectiveness of such policy advocacy processes:

Waste policy influencing: Wider lessons learned

- Stronger local government and commercial (waste industry) presence would be of benefit.
- Appears to be a lot of EA representation, little business interest.
- More business, more NGOs. Agency itself could have been 1/3 rather than 1/2 of the groups
- Maybe not quite the same sort of process i.e. not as long and possibly more focussed on what has changed.
- Perhaps the process shouldn't be as lengthy. Future processes could focus on the Agency's existing position and ask stakeholders to comment on/review it in the context of govt policy and in what areas we could go further on.
- I was ecstatic – only slight concern is that the vision needs to aim high. I am not convinced that it aims high enough for MSW.

13.3 AMP3 Periodic Review process

The issue

The Agency adopted an active influencing strategy for the 1999 Periodic Review of water company prices. Two high level influencing outcomes were approved by the Agency's Board:

1. To prepare a prioritised programme of environmental improvements (known as the National Environment Programme) for each water company for the approval of the Secretaries of State.
2. To ensure the water companies prepare water resources plans on a consistent basis to meet legitimate demands with a minimum of waste, to enable the Agency to advise the Secretaries of State on the need for funding new resources or other measures to maintain a balance between supply and demand

Influencing achievements

On 1 March 1999, as part of the Periodic Review of water company price limits, the Secretaries of State for the Environment, Transport and the Regions and for Wales announced¹²⁷:

- An £8bn programme of water quality and environmental improvements
- That the Director General of Water Services (OFWAT) will need to ensure that water companies investment plans properly reflect the Water Resources Plans agreed between each company and the Environment Agency

¹²⁷ Review of the Influencing Strategy for the Periodic Review 1999 and recommendations for future action. Richard Streeter, Head of Periodic Review, June 1999

The water quality improvement programme is the largest programme approved by the Secretaries of State to be undertaken in England and Wales and represents 98% of the ambitious programme recommended by the Environment Agency to the Government in May 1998.¹²⁸ The Agency thus achieved both of its high level influencing outcomes. Whilst, as ever, it is difficult to be precise about the extent to which these outcomes were due to Agency influencing, the Agency was – significantly – included in the meeting when the Minister made his final decisions on the environment programme for each water company. As the review of the AMP3 influencing strategy strongly argues, being present when the decisions were made enabled the Agency to influence the scale of the final environment programme for each water company.¹²⁹

Moreover, of those external stakeholders aware of the Agency's policy advocacy on the periodic review, all commented that they felt the Agency had been influential in this process. Comments included:

Comment	Sector
The Agency was effective on the AMP3 periodic review. It was robust, aggressive, it knew what it was talking about, and it knew what it wanted. The amount of policy advocacy that is done without people knowing the policy outcome they want is frightening.	Political*
The Agency played a pro-active role on AMP3. It influenced the debate on how much resource should go to reducing prices against environmental investment. It published the right numbers at the right time.	NGO
The Agency was good at influencing the AMP3 process. It acted as an effective voice for the environment. The opinion poll research and economic (e.g. cost benefit) analysis was good.	NGO

* Political includes Government and EC stakeholders

Reasons for effectiveness and wider lessons learned

The review of the AMP3 influencing strategy identifies reasons for the process having been effective, alongside wider lessons learned¹³⁰. Key issues highlighted in the document include:

¹²⁸ Executive Summary. Review of the Influencing Strategy for the Periodic Review 1999 and recommendations for future action. Richard Streeter, Head of Periodic Review, June 1999

¹²⁹ Page 13. Review of the Influencing Strategy for the Periodic Review 1999 and recommendations for future action. Richard Streeter, Head of Periodic Review, June 1999

¹³⁰ Review of the Influencing Strategy for the Periodic Review 1999 and recommendations for future action. Richard Streeter, Head of Periodic Review, June 1999

AMP3 Periodic Review influencing: Reasons for effectiveness

- Clear, ambitious, strategic policy objectives were adopted.
- There was a central co-ordinator
- Recognition that the Periodic Review is a *political* rather than technical process, and that it is the Secretaries of State who take the final decisions. Commitment to the Agency's objectives was built from the Chairman down. In addition, a high profile was taken early on, which made it difficult to be ignored. The Agency was positioned as an independent regulator, with vertical separation from OFWAT up to the Secretaries of State
- Early allocation of resources enabled agenda setting. The Agency was the first organisation to commission national public opinion research, the results of which supported the Agency's position. The Agency consequently received widespread publicity in the written and broadcast media. The research was quoted repeatedly throughout the process by a wide range of organisations, which made it difficult for the Agency to be ignored
- A team bringing together expertise in water quality, water resources, economics, public relations, communications, parliamentary process and legal issues was formally established. Several detailed technical reports were published to underpin the Agency's overall positioning. The consistent format and detailed regional work reinforced the confidence of DETR officials in the Agency as a credible regulator. In contrast, OFWAT cost estimates and impacts on prices were viewed with suspicion
- The Agency gained the trust of external groups and statutory committees, and used media opportunities tactically. At national, regional and local level, there was pro-active engagement with diverse stakeholders. These included senior DETR officials, the Prime Minister's Policy Advisors, the All Party Parliamentary Water Group, NGOs, English Nature, LGA, Local Authority Environment Committees, City Analysts, Environmental Correspondents, and DETR's academic panel

AMP3 Periodic Review influencing: Wider lessons learned

- Knowing what you want is crucial, but is not as easy as it sounds. Promoting an environmental programme for the water companies which more fully embraces sustainable development, climate change, the precautionary principle and generally reducing pollution / excessive abstraction requires vision. It requires an understanding of not just scientific and health issues, but also social expectations, the costs and benefits of environmental policies and an appreciation of the political frontiers.
- Next time, we need to identify what we want to achieve earlier in the process
- The Agency needs to be much better informed and focussed on the economic regulation of the water industry

13.4 'Bridging the Gap': Influencing environmental reporting requirements**The issue**

June 1998 Bridging the Gap conference	
Organisers and sponsors	Speakers included:
<ul style="list-style-type: none"> • Environment Agency for England and Wales, UK • Scottish Environment Protection Agency, UK • European Environment Agency, Denmark • Ministry of Housing, Spatial Planning and the Environment: VROM, Netherlands • Advisory Council for Research on Nature and the Environment: RMNO, Netherlands • National Institute for Public Health and the Environment: RIVM, Netherlands 	<ul style="list-style-type: none"> • Environment Minister, UK • Chairman, EA • Chief Executive, EA • Chief Executive, EEA • Director of DG XI.B, EC • Director General, VROM

In June 1998, the Agency was a co-organiser of a major conference called: *Bridging the Gap: New Needs and Perspectives for Environmental Information*¹³¹. Agency stakeholders familiar with the conference argue that it was a milestone in agenda setting, achieving:

- Increased recognition that much of the data and information collected by EU Member States is redundant, whilst there remains a shortage of *policy relevant* information. Information needed for better policy making – eg on policy effects/effectiveness – is either not collected at all, or fails to reach the right people. There is a need to move from the best *available* information to the best *needed* information.
- Consolidated support for the European Environment Agency to analyse reporting requirements with a view to prioritising and rationalisation, building on work with the European Environment Agency during the mid 1990s. As one England and Wales Environment Agency stakeholder put it: "there are about 50,000 separate reporting requirements at EU level, which is burdensome"

Influencing achievements

External stakeholders aware of the "Bridging the Gap" work agreed it was influential in influencing EU environmental reporting:

Comment	Sector
Through 'Bridging the Gap', the Agency has been an important and effective player in data collection and using data to see whether policy has been effective	Political*
Through 'Bridging the Gap', the Agency has been one of the most effective EU environment agencies with respect to policy evaluation. Bridging the Gap provided a springboard for deciding what information we need to improve the environment. It built on 25 years of frustration, especially in North European countries, which have been better at environmental monitoring and reporting. We need to refocus our EU environmental monitoring and reporting efforts.	Political*
Currently, DG Environment, Eurostat, European Environment Agency, OECD, and UNEP are all looking at the same information. In the future, we hopefully will have a common understanding of data needs and frameworks, so countries only get asked to report information once. Bridging the Gap will have helped to achieve this.	Political*
Bridging the Gap helped deliver the commitment to review the reporting system, to better consider what is needed for policy evaluation purposes. Margot Wallstrom has made it one of her priorities for 2002.	Political*

* Political includes Government and EC stakeholders

¹³¹ Bridging the Gap: New Needs and Perspectives for Environmental Information. Proceedings of a conference held at Nelson's Dock in London, June 1998

Moreover, the review of environmental reporting sought by Bridging the Gap has now been formally accepted by the European Commission as an action in the 6th Environment Action Programme¹³², and the area of waste has been selected as a pilot study to feed into this wide-ranging review.¹³³ Significantly, an Agency secondee to the European Commission has been a member of this waste pilot group¹³⁴.

In addition, a European Commission proposal for a Framework Directive on Reporting is now expected by the end of 2002. This will deliver a repeal of the Standardised Reporting Directive (1991/692), and set down principles for the future shape of the statutory reporting regime.

Moreover, an European Environment Agency draft report highlights that “since 1998, the EEA has been working on reviewing reporting systems at the EU and international levels as part of the ‘Bridging the Gap’ process”¹³⁵. This, alongside the policy developments highlighted and the specific comments noted from stakeholders, suggests that the Agency has – through ‘Bridging the Gap’ – had significant influence on the future of the EU environmental reporting regime.

Reasons for effectiveness and wider lessons learned

In terms of reasons for effectiveness and wider lessons learned, Agency stakeholders highlighted the following:

‘Bridging the Gap’ – influencing the EU reporting regime: Reasons for effectiveness
<ul style="list-style-type: none"> • We helped kick off the agenda. Our engagement with other EU member states and EU EPAs added weight to the process • We had political support. The Environment Minister Michael Meacher gave an address at the conference • Derek Osborn was both on the Board of the Agency and also Chair of the European Environment Agency • Within the Agency, the money for Bridging the Gap came out of the R&D programme. Had we tried to get money out of the functions, it would have been much more difficult
‘Bridging the Gap’ – influencing the EU reporting regime: Wider lessons learned
<ul style="list-style-type: none"> • With ‘Bridging the Gap’, we had the courage of our convictions and were prepared to come up with ideas. Most influencing we do is on developing and amending existing policies. We should be coming up with new ideas more, and committing resources to that • Bridging the Gap identified the need for change, but didn’t identify solutions. We need more on solutions

¹³² Decision Art 9(4)&(5); Comm. S8.1, 8.2. EU 6th Environment Action Programme. CEC COM (2001) 31

¹³³ Waste pilot group for the review of the EU environmental reporting regime includes representatives from the European Commission, Danish EPA, Statistics Denmark, Instituto dos Resíduos (Portugal), INE (Portugal), German Environment Agency, German Federal Environment Ministry, ETC Waste and Material Flows, European Environment Agency, Basel Convention, EUROSTAT, and the Regional Environment Center of the Accession Countries

¹³⁴ Peter Bird, seconded from the Agency’s former Environmental Strategy Directorate to DG Environment of the European Commission

¹³⁵ EEA Contribution to European Parliament Own Initiative Project on Reporting. EEA, Copenhagen, Denmark, 14 May 2002. DRAFT document.

13.5 Influencing the development of the Water Framework Directive

The issue

The overall objective of the Water Framework Directive¹³⁶ is as stated in Article 1:

“To establish, for the protection of fresh water, estuaries, coastal waters and groundwater in the Community, a framework which:

- a) prevents further deterioration and protects and enhances the status of aquatic ecosystems and, with regard to their water needs, terrestrial ecosystems; and
- b) promotes sustainable water consumption based on long-term protection of available water resources;

and thereby contributes to the provision of a supply of water of the qualities and in the quantities needed for the sustainable use of these resources”

The environmental objectives are set out in Article 4 of the Directive, with the key criterion for judging performance being the achievement of ‘good ecological status’.¹³⁷ Waters will be classified into five classes, being ‘high’, ‘good’, ‘fair’, ‘poor’ and ‘bad’. ‘Ecological status’ is itself assessed by the worst performance of three separate assessments of biological, chemical and hydromorphological status.

During formal adoption of the Directive, the timetable for implementation was increased, a range of derogations / exclusions added, and a number of components were watered down or deleted, including:

- the inclusion of wider marine waters
- an absolute requirement for full cost recovery of water use
- strict protection for groundwaters
- inclusion of protected areas designated at national or local level¹³⁸

However, the primary focus of interest identified by Agency stakeholders was on the *agenda setting* that led to the European Commission proposing the Directive in 1997.

¹³⁶ 2000/60/EC (OJ L327 22.12.2000). Directive establishing a framework for Community action in the field of water policy. Proposed 26.02.97 – CEC COM(97)49

¹³⁷ Water Framework Directive. Page 4.15-3, Manual of Environmental Policy Release 19. Nigel Haigh, February 2001

¹³⁸ Water Framework Directive. Page 4.15-10, Manual of Environmental Policy Release 19. Nigel Haigh, February 2001

Influencing achievements

As a 1992 study for the National Rivers Authority (NRA) on EC policy development highlights: "The origins of EC environmental directives are not always easy to pin down. DG XI (Environment) of the Commission controls the agenda; but there is a variety of routes by which items may get on to it. Many of these are informal, through DG XI (Environment)'s networks of experts and advisers – Dr Alex Simpson and 'a man named Flint', both apparently retired DoE officials, were mentioned as examples."¹³⁹

Agency interviewees familiar with the development of the Water Framework Directive argue that the National Rivers Authority (and, prior to privatisation, some of the 'NRA Units' of the catchment based Water Authorities) were amongst a number of players influential in the *agenda setting* which eventually led to the proposal for a Water Framework Directive.

In particular, a 1989 'study and reflection seminar' was highlighted as a milestone in agenda setting "the case for a Directive which addresses directly the ecological quality of water – all the previous Directives focussed on measuring levels of chemical pollutant" (Agency interviewee). The 1989 seminar, co-ordinated by DG XI (Environment) and the European Institute for Water, and titled 'The ecological quality of surface water: Preparation of a Community Directive', brought together a range of key players from across Europe, including representatives from the NRA Unit of Anglian Water and NRA Thames Water.¹⁴⁰

Agency interviewees also noted "a NRA conference in 1993/4 that brought together the EC and other member states to discuss the EU water policy framework, which identified some serious framework problems". The NRA was not alone in identifying problems with EU water policy – others also recognised that the existing *acquis* could be criticised for being too fragmented, concentrating on specific aspects of environmental quality or specific threats to that quality.¹⁴¹

In response to calls to update EU water policy, the European Commission in 1994 brought forward a proposal for a Directive on the Ecological Quality of Surface Waters as a more comprehensive approach.¹⁴² However, this proposal received substantial criticism. As one Agency interviewee put it: "The European Parliament said that the

¹³⁹ Page 4 – EC Related Concerns and Issues. Options for European Community Involvement. Study for the National Rivers Authority, Bruce Naughton Wade, March 1992

¹⁴⁰ "The Ecological Quality of Surface Water: Preparation of a Community Directive". Study and Reflection Seminar. 18-19 May 1989, Villa Olmo – Como (Italy). Co-ordinated by Alessandro Barisich, DG XI, CEC and Jean J Fried, European Institute for Water. Dr A Ferguson (NRA Unit of Anglian Water) and Dr R Sweeting (NRA Thames Water) presented a paper on "The Ecological Quality of surface water: The current approach in England and Wales", alongside representatives from other organisations across Europe

¹⁴¹ Water Framework Directive. Page 4.15-9. Manual of Environmental Policy Release 19. Nigel Haigh, February 2001

¹⁴² CEC COM(93) 680, OJ C222 10.8.94

Ecological Quality of Surface Waters Directive wasn't broad enough and that it wasn't possible to put sticking plasters on it".

Subsequently the European Commission, in a 1996 Communication on European Community Water Policy¹⁴³, agreed with this view and the proposal was withdrawn. This then allowed for the European Commission to propose a Water Framework Directive in 1997.

As ever, it is difficult to be certain about the extent of NRA influence. Some external stakeholders familiar with the Agency / NRA input to the Water Framework Directive agreed that the NRA had helped set the agenda, whilst others focussed on the Agency contribution to the development and implementation of the Directive:

Comment	Sector
<i>Agenda setting</i>	
The NRA was effective alongside Denmark in shifting the framework of EU water policy from a chemical to an ecological basis. I give the NRA 10 out of 10 for its agenda setting in this area. The NRA especially was a driver of the Water Framework Directive	Political*
The Water Framework Directive is one of the NRA's big achievements with respect to influencing	Business
The Water Framework Directive was very much an NRA idea. The NRA was good at problem identification and agenda setting. The NRA had intellectual strength and support from the Department	NGO
<i>Policy development and implementation</i>	
The Agency's approach to the Water Framework Directive has been effective, given its expertise, but it's been slightly behind closed doors. There hasn't been enough stakeholder involvement	Political*
The EC discusses Water Framework Directive implementation with DEFRA, but DEFRA don't know enough about the Agency's implementation pilots. The Agency can play a valuable role. DEFRA's jealous guarding of its policy role is unhelpful	Political*
On the Water Framework Directive, the Agency's strength has been that it has had very good technical detail – it could back up statements with scientific and practical arguments. The Agency's weakness is that it isn't pro-active. I had to make the point of going to see the Agency, not vice-versa. The Agency don't understand the value of making contacts with respect to future Directives	Business
The Water Framework Directive would have been less practical without the Agency's input. The Agency, from the evolution of the NRA, could bring a lot of practical experience and expertise	Business
The Agency has been good at the technical aspects of the Water Framework Directive, but not on the strategic / political front, and not at building allies	NGO

* Political includes Government and EC stakeholders

¹⁴³ CEC COM(96) 59

Although it may be difficult to compare levels of influence at agenda setting and policy implementation stages in a quantifiable way, some Agency stakeholders argued that the organisation's influence increased as the policy focus shifted more towards implementation. As one Agency interviewee put it: "In terms of problem identification and agenda setting, we were one of many in the EU policy community. Over the development of the Directive, our influence would have increased, mainly because we were being invited to make a bigger contribution by Government – but also because the technical and practical expertise of the Agency becomes more important".

Reasons for effectiveness and wider lessons learned

In terms of reasons for effectiveness and wider lessons learned, Agency stakeholders highlighted the following:

Influencing the Water Framework Directive: Reasons for effectiveness

- | |
|--|
| <ul style="list-style-type: none"> • We were there from the beginning • The actions of NRA in bringing together EC with other European interests to discuss the Directive established us as a key player. We were able to speak to EC independently. • DEFRA / DETR / DoE were willing to absorb our advice. They were coming to the Agency for detailed technical and scientific advice and we got good feedback from Government as to our technical contribution. Government used NRA as a sounding board on which to test potential Government policies. Also the UK had the EU presidency in 1999 which gave us additional influence. • We had one of our staff spend a year advising Government on the Directive. He was viewed as a member of the UK negotiating team • In terms of the economics of policy implementation, we put a lot of work building up the relationship with the relevant EC desk officer, we've brought others in to the process, and we've used our technical expertise |
|--|

Influencing the Water Framework Directive: Wider lessons learned

- | |
|---|
| <ul style="list-style-type: none"> • NRA didn't have a 'Memorandum of Understanding' (MOU) with the Department. The NRA was a lot more independent than the Agency – but it was the exuberance of the NRA and the NRA feeling that it could speak to anybody that precipitated the current Agency MOU on EU and international relations. |
|---|

14 Specific examples of English Nature policy advocacy effectiveness

Five specific examples where English Nature has effectively influenced policy development are considered below. These are:

1. Common Agricultural Policy Agenda 2000 reforms
2. Policy Commission on the Future of Farming and Food
3. Pesticides tax and the strengthened voluntary package
4. Spending Review 2002
5. EU Sustainable Development Strategy

In each case, the issue is outlined, influencing achievements are identified, and consideration is given to reasons for effectiveness and wider lessons learned.

14.1 Common Agricultural Policy Agenda 2000 reforms

The issue

Since the 1980s, two alternative visions have competed for influence in determining the evolution of the Common Agricultural Policy (CAP).¹⁴⁴ On the one hand, 'market liberalisers' have pressed for reductions in commodity prices, and the removal of export aids to open up the European agricultural market to world trade. On the other hand, the 'protectionists' have argued that such moves would be detrimental to farming communities across the European Union and have resisted calls for further CAP reforms.

Between these two positions, a 'third way' has emerged, centred upon the idea of 'multi-functional' agriculture. The concept implies that, in addition to food production, agriculture produces benefits such as the management of rural landscapes and ecological features, as well as the social role of supporting populations in peripheral areas. This new paradigm has been taken forward by the CAP Agenda 2000 reforms and has established the concept of the two pillars of the CAP, with the Rural Development Regulation hailed by the European Commission as the new 'second pillar'.¹⁴⁵ Significantly, the European Commission's draft Agenda 2000 reforms¹⁴⁶ also linked proposals for changes in agricultural policy and the Structural Funds with the plans for EU enlargement and the medium term EU budgetary framework.

Whilst many argue EU-wide progress has been deadlocked, the introduction through the Agenda 2000 reforms of the Rural Development Regulation has given significant discretion to EU Member States, if they choose, to push forward reform and test out new approaches. In effect, this has opened up the prospect of piecemeal reform 'from below'.¹⁴⁷

¹⁴⁴ Setting the next agenda? British and French approaches to the second pillar of the Common Agricultural Policy. Philip Lowe, Henry Buller, Neil Ward. *Journal of Rural Studies* 18 (2002) 1-17

¹⁴⁵ Setting the next agenda? British and French approaches to the second pillar of the Common Agricultural Policy. Philip Lowe, Henry Buller, Neil Ward. *Journal of Rural Studies* 18 (2002) 1-17

¹⁴⁶ Draft Agenda 2000 proposals were issued by the European Commission in July 1997

¹⁴⁷ The background to the Agenda 2000 reforms. P Lowe et al, *Journal of Rural Studies* 18 (2002) 1-17

Those in English Nature familiar with the organisation's input to the CAP Agenda 2000 reform process argue that they have been influential in "lobbying for a more radical approach to CAP reform within Government, shifting more money away from production subsidies and into agri-environment and rural development schemes, and greening those commodity supports that remain".

Influencing achievements

Most external stakeholders familiar with English Nature's input to the CAP Agenda 2000 reform process agreed that English Nature has been an influential player. Several highlighted English Nature input on overgrazing:

Comment	Sector
On CAP reform, English Nature has done thorough, evidence based research, and have run pretty visible campaigns, often jointly with WWF, Birdlife International, Countryside Agency, and the EU nature conservation forum. They are one of the first organisations across the EU I would call to get advice on key aspects of agriculture policy – e.g. overgrazing	Political*
English Nature has been influential on the Rural Development Regulation. Countryside Agency has been even more influential still though	Political*
On the CAP Agenda 2000 reforms, English Nature have been effective – I put them in the top 20% of organisations. They understand the issues, but they need to understand better the impacts of advocated policy changes, including the impacts on other EU member states	Political*
English Nature's input to the Agenda 2000 reforms was good / effective	Political*
English Nature effectively influenced the Rural Development Regulation	Business
It's difficult to single out any organisation as influential	Business
English Nature has taken a pro-active approach to CAP reform. They're involved with other EU stakeholders and I've participated in a number of their seminars	Business
English Nature were effective in their pro-active participation	Business
I liked English Nature's emphasis on win-win solutions in the CAP Agenda 2000 reform process	Business
On the Cap Agenda 2000 process, English Nature made effective use of the Land Use Policy Group and other partnerships. In the end, they didn't always get what they wanted, but that wasn't generally their fault. English Nature were good at providing information – they were very clear about when overgrazing is a problem	NGO
English Nature effectively influenced the CAP Agenda 2000 process. They have shifted from a scientific to a policy advocacy focus, and were good communicators	NGO
English Nature was effective on the CAP Agenda 2000 reforms	NGO
English Nature was effective in influencing the CAP Agenda 2000 reform process, particularly on overgrazing on upland SSSIs. They argued that farmers could have their subsidies removed if overgrazing	NGO

* Political includes Government and EC stakeholders

Reasons for effectiveness and wider lessons learned

In terms of reasons for effectiveness and wider lessons learned, English Nature stakeholders highlighted the following:

Influencing the CAP Agenda 2000 reform process: Reasons for effectiveness

- We had Director level involvement and commitment. It was prioritised in terms of resources
- We've worked well with the Land Use Policy Group and IEEP
- We've brought in new people to improve our policy advocacy at a strategic / political level
- We're trying to input not only to DEFRA but also to other bits of Government – e.g. DTI, HMT, Cabinet Office, No. 10
- We've tried to understand the policy map and context and our place within it, in order to be more influential

Influencing the CAP Agenda 2000 reform process: Wider lessons learned

- We've been influencing an agenda, not influencing proposals – and we'll continue to do so. We're holding a major conference in Brussels in February 2003 on the future funding of the CAP with environment at the heart. This will include DG Environment, DG Agriculture, DG Budget, both North and South EU member states and accession countries (Poland, Hungary). The distribution of the EU budget will be key to the accession countries, so their position will be important

14.2 Policy Commission on the Future of Farming and Food

The issue

Comprising key business and NGO representatives and chaired by Sir Donald Curry, the Policy Commission on the Future of Farming and Food was established in August 2001. It was given 5 months to complete its remit to:

*"advise the Government on how we can create a sustainable, competitive and diverse farming and food sector which contributes to a thriving and sustainable rural economy, advances environmental, economic, health and animal welfare goals, and is consistent with the Government's aims for Common Agricultural Policy (CAP) reform, enlargement of the EU and increased trade liberalisation"*¹⁴⁸

The report makes over 100 recommendations and calls for measures costing around £500 million over the next 3 years to help bring about a change of direction in farming and food.¹⁴⁹ Its conclusions are the fruit of a wide-ranging consultation across the farming and food industry and with its key stakeholders. A call for written evidence received over 1300 responses. The Commission also carried out six regional visits and a raft of national public meetings with interest groups.

English Nature representatives noted that English Nature "was recognised as a key stakeholder – our Chairman was invited to speak at a Number 10 Summit" and argued strongly that English Nature had effectively influenced the Policy Commission report.

¹⁴⁸ Policy Commission on the future of farming and food. Cabinet Office Press Release, 29 January 2002

¹⁴⁹ The report is available from the Commission's website <http://www.cabinet-office.gov.uk/farming>

Influencing achievements

All external stakeholders familiar with English Nature's input to the Policy Commission on the Future of Farming and Food agreed that English Nature has been an influential player:

Comment	Sector
English Nature were very pro-active with the Policy Commission. They were prepared to take on stakeholder views. English Nature would listen to us and we would develop our ideas jointly	Political*
English Nature made an effective contribution to the Curry report	Political*
English Nature had a good hearing with the Policy Commission. They've been effective with the public / political arguments	Business
English Nature made an influential input to the Policy Commission	Business
I've been very impressed by English Nature on the Policy Commission on Food and Farming	NGO

* Political includes Government and EC stakeholders

Reasons for effectiveness and wider lessons learned

In terms of reasons for effectiveness and wider lessons learned, English Nature stakeholders highlighted the following:

Influencing the Policy Commission on the Future of Farming and Food: Reasons for effectiveness
<ul style="list-style-type: none">• We influenced who was on the Policy Commission, and we got 50% of the names we put forward• General Managers and Directors were involved. The Chair and Chief Executive were used to meet the Policy Commission, and Council members were used on site visits with the Policy Commission secretariat• We spent a lot of time working with the Secretariat of the Policy Commission, taking them out for field visits etc• We had good units of research and had policy options worked up• We had a media front – calling for recommendations, generating the mood music with the media, and welcoming the report recommendations• We had an advocacy coalition – working with other statutory Agencies and the Wildlife and Countryside Link NGO umbrella group. We participated in their workshops

Influencing the Policy Commission on the Future of Farming and Food: Wider lessons learned
<ul style="list-style-type: none">• Before the report was published, we were working with DEFRA and HMT ministers and officials to influence DEFRA's response to the report. We helped HMT consider where the money for modulation will come from

14.3 Pesticides tax and the strengthened voluntary package on pesticide use

The issue

Concerns about the contribution of pesticides to reducing bird populations and increasing water pollution has prompted the Government to consider the imposition of a pesticide tax to reduce the impacts of pesticides on the environment.

In 1999, DETR published the results of a research project on the design and impact of a possible tax on pesticides, and asked for views on issues raised in their report.¹⁵⁰ On 9 March 1999, the Chancellor announced that no decision has been taken on whether to introduce a tax on the use of pesticides, but that it would consider the issues raised in the DETR research report alongside other possible measures or factors which may improve or influence pesticide use.

Subsequently, following the Parliamentary Environmental Audit Committee finding in favour of a pesticides tax in February 2000¹⁵¹, the Government was considering the introduction of a tax in the 2000 Budget. However, owing to the ongoing crisis in UK farming, it has decided to move forward by means of a voluntary partnership approach with farmers and the UK's agrochemical trade body, the Crop Protection Association (CPA).

English Nature representatives noted that English Nature has been one of “a number of organisations calling for a pesticides tax”, arguing that the area where they have had most impact has been in terms of providing policy advice and information to deliver an *environmentally credible* voluntary package.

Influencing achievements

Most external stakeholders familiar with English Nature's input to the debate over a possible pesticides tax and the strengthened voluntary package agreed that English Nature has been an influential player:

Comment	Sector
English Nature were influential alongside IPPR and green groups like FoE and RSPB	Political*
English Nature got material under my nose at the right time. 50% of effective policy advocacy is getting information to people at the right time	Political*
English Nature was influential on the pesticides tax debate. They had the ear of Michael Meacher and were good at working with others	Political*
English Nature and many others have put a pesticides tax on the agenda	Political*
English Nature were effective in contributing to policy on the pesticides tax / voluntary package debate, especially on the tax side	Business
English Nature was influential on the pesticides tax	Business
English Nature were influential in drawing up a voluntary package to reduce pesticide use on the back of the threat of a possible tax	NGO
English Nature were reasonably effective on the pesticides tax	NGO

* Political includes Government and EC stakeholders

¹⁵⁰ Design of Tax/Charge Scheme for Pesticides. A final report to the Department of the Environment, Transport and the Regions by Ecotec Research and Consulting Ltd. (ISBN: 1851121609)

¹⁵¹ UK Parliament Environmental Audit Committee Forth report, 29 February 2000. The Pre-Budget Report 1999: Pesticides, Aggregates and the Climate Change Levy

Reasons for effectiveness and wider lessons learned

In terms of reasons for effectiveness and wider lessons learned, English Nature stakeholders highlighted the following:

Influencing the pesticides tax / strengthened voluntary package debate: Reasons for effectiveness
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- | |
|---|
| <ul style="list-style-type: none">• We understood the politics of the policy area. Government departments were split. Within DETR there was a split. The DETR economics division, Michael Meacher and HMT to some extent were in favour of a tax. The DETR science division, MAFF and DTI were very hostile. Then, without consulting HMT, Tony Blair made a statement to farmers that there would be a voluntary package of measures instead of a tax. We criticised the package, offering constructive solutions to deliver a strengthened voluntary package. This helped HMT out of a hole• Government asked: 'How big a deal are these environmental impacts?' We, with others, then led the production of a 5 page paper which set this out, alongside the science. This was included in the ECOTEC report to Government on the environmental impacts of pesticides. Government needs to trust that they can rely on our technical / scientific advice – i.e. that it won't be blown down by industry |
|---|

Influencing the Pesticides tax / strengthened voluntary package debate: Wider lessons learned
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- | |
|---|
| <ul style="list-style-type: none">• We became a major player in the end game. The NGOs, RSPB in particular, led the way in putting the tax on the agenda. |
|---|

14.4 Spending Review 2002

The issue

To ensure effective use of resources, the Government's 2002 Spending Review (SR2002) has been looking closely at the effectiveness of existing programmes and how departments are delivering their current Public Service Agreement (PSA) targets alongside their future strategic priorities.¹⁵²

The emphasis of the 2002 Spending Review has been on ensuring that departments have the resources and plans to deliver the stretching priorities that the Government has already set itself.

The main developments in this Spending Review compared to previous exercises are that:

- SR2002 will have a greater emphasis on the evidence base for policy-making
- SR2002 will be the first Spending Review to be conducted and published on a full resource budgeting basis
- Consideration is being given to planing beyond the three year horizons of firm 3 year plans in specific areas, building on the Transport 10 Year Plan and the NHS Plan.

¹⁵² HMT website: http://www.hm-treasury.gov.uk/Spending_Review/spend_sr02/spend_sr02_index.cfm

Influencing achievements

Most of those external stakeholders familiar with English Nature's input to Spending Review 2002 agreed that English Nature has been an influential player. Several welcomed efforts to link conservation with wider Government objectives:

Comment	Sector
English Nature's input to SR2002 was excellent. It reflects a good understanding of sustainable development in English Nature.	Political*
It didn't enhance their position on SR2002 specifically significantly, but it did enhance their overall standing within DEFRA	Political*
English Nature's input to SR2002 was effective - it kept up the profile of nature conservation	NGO
English Nature's input to SR2002 was well argued – it made links to wider Government objectives.	NGO

* Political includes Government and EC stakeholders

Reasons for effectiveness and wider lessons learned

Both English Nature and its stakeholders saw making links between nature conservation and wider Government objectives as key to effective working with Government. In terms of wider lessons learned, English Nature noted the value of secondments to DEFRA to support their work on sustainable development and SR2002.

14.5 EU Sustainable Development Strategy

The issue

The Helsinki European Council in December 1999 invited the European Commission to "prepare a proposal for a long-term strategy dovetailing policies for economically, socially and ecologically sustainable development" in time for the Gothenburg European Council in June 2001.

The European Commissions proposal for an EU Sustainable Development Strategy¹⁵³ was adopted by the Commission on the 15th May. It contains a number of concrete proposals for how the European Union can improve its policy making to make it more coherent and focussed on the long term, as well as a number of specific headline objectives and the measures needed to achieve them.

The Commission's proposal for a sustainable development strategy builds on the analysis in a consultation paper¹⁵⁴ released at the end of March 2001, and on the responses to that paper. The consultation paper identified a number of unsustainable trends that need to be

¹⁵³ CEC COM(2001) 264 final. 15.5.2001 A Sustainable Europe for a Better World: An EU Strategy for Sustainable Development. See: http://europa.eu.int/eur-lex/en/com/cnc/2001/com2001_0264en01.pdf

¹⁵⁴ CEC SEC(2002) 517 27.3.2001 Consultation paper on an EU Strategy for Sustainable Development. See: http://europa.eu.int/comm/environment/eussd/consultation_paper_en.pdf

urgently tackled, and provided an analysis of the key drivers behind these trends. English Nature representatives argued that they had effectively influenced the strategy to include the nature conservation and biodiversity dimension.

Influencing achievements

Of those external stakeholders familiar with English Nature's input to the EU Sustainable Development strategy, some suggested English Nature had been an influential player, whilst others said they would not single out the organisation in delivering the positive biodiversity commitments noted in the EU strategy.¹⁵⁵

Comment	Sector
English Nature's input was limited. We've had so many inputs – English Nature's would not be singled out	Political*
English Nature's input to the EU Sustainable Development strategy has been good. They have concrete examples and go with a very solid perspective of what they want, which is what the European Commission is looking for. The European Commission is a very small civil service – they depend on others for expert ideas, evidence and opinion	Business
On the EU Sustainable Development strategy, English Nature had significant influence, by way of its working in partnership with other EU agencies	NGO

* Political includes Government and EC stakeholders

Reasons for effectiveness and wider lessons learned

Both English Nature and its stakeholders saw working in partnership with other EU nature conservation agencies as key to their effectiveness in influencing EU policy development. In terms of wider lessons learned, English Nature representatives underlined the value of building long term relationships to effective influencing.

¹⁵⁵ For example, a headline objective of the “managing natural resources more responsibly” theme is the commitment to “protect and restore habitats and natural systems and halt the loss of biodiversity by 2010”. Page 12, A Sustainable Europe for a Better World: An EU Strategy for Sustainable Development.

D. Options to enhance measurement and effectiveness of Agency policy advocacy

15 Future measurement of Agency policy advocacy effectiveness

Periodic evaluation of Agency policy advocacy effectiveness will allow the organisation to benchmark its progress over time and will assist in organisational learning and development. Four approaches to such evaluation (which may be usefully combined) are outlined below:

15.1 Self assessment

Whilst self assessment may not be especially scientific, it can be inexpensive, focussed on the priority policy changes desired, and conducted on a more regular basis than wider stakeholder reviews (for example every Directors Policy Steering Group).

Such an approach has already been effectively taken on agriculture.¹⁵⁶ For each of the three key issues (funding/modulation, farm management scheme and agri-environment schemes), activities and key changes in Government policy (whether desired / undesired) have been outlined and presented to Directors Policy Steering Group.

Self-assessment could also identify:

- new policy groups / fora the Agency is entering into as a result of becoming more of an influencing organisation (is the Agency increasingly getting an 'inside track'?)
- examples of where the Agency is explicitly quoted by key organisations / where the exact Agency text reappears in others' documents
- key influences of others on the desired priority policy changes

15.2 Policy network analysis

A policy network analysis approach would seek to identify which groups the Agency is participating in, at what level (e.g. as co-ordinator, facilitator, technical advisor, strategic policy player) and, equally, which groups the Agency is excluded from. In this way, the policy areas in which the Agency is influential / less influential could be mapped.

Such an approach has the advantage of objectivity. However, given the diverse array of groups, it may be necessary to focus such research. One approach would be to identify which new groups the Agency is entering into as a result of becoming more of a policy-influencing organisation. For example, now that the Agency has a position on CAP reform, the organisation might be expected to develop more of a presence in relevant EU working groups / policy communities.

¹⁵⁶ Agriculture Policy Advocacy Update. Paper to Directors Policy Steering Group (06/06/02) sponsored by the Director of Environmental Protection

15.3 Process tracing

Process tracing generally looks at a particular specific policy that has been implemented (e.g. Directive X or regulation Y), and considers how and by whom the policy has been influenced at each stage of its development, from problem identification and agenda setting to final implementation. In so doing, the Agency's influence over the specific policy can be compared with others and thereby put into wider perspective.

Interviews can be combined with documentary evidence to add objectivity and robustness. However, given the focus on a very specific policy area, the findings may not be transferable (i.e. they be specific to the given policy area).

Process tracing could also be conducted in real time – i.e. the various key influences on a particular policy could be monitored, as opposed to just the Agency's influence on the policy. Though more resource intensive, such an approach might help the Agency to better understand the policy process and the range of opportunities for influencing.

15.4 Reputation analysis

This report is essentially based on a reputation analysis approach. As with this evaluation of the Agency's policy advocacy effectiveness, reputation analysis seeks to triangulate the perceptions of key policy stakeholders (for example, in Government / Politics, Business, NGOs), and can be both quantitative and qualitative.

Though more objective than self-assessment, it is however more resource intensive. In addition, given the demands on stakeholders' time, it cannot realistically be carried out as frequently as self-assessment or other approaches.

BOX 18: To improve measurement of Agency policy advocacy effectiveness, the Agency could commit to:

- **Regular self assessment of the achievement of policy objectives and shifts in Government position, with summary progress reports to Policy Steering Group, for all policy priorities**
- **Periodic reputation analysis, asking key Government, Business, and NGO stakeholders (including at EU level) to score and comment on Agency influencing effectiveness**

Measures of 'success out' would need to be considered alongside an assessment of 'effort in' (e.g. an estimate of resources allocated to policy advocacy priorities)

16 Options to enhance Agency policy advocacy effectiveness

Key options identified through this stakeholder evaluation of the Agency's policy advocacy effectiveness are as follows:

Improving shared understanding and co-ordination:

- 1) More emphasis could be placed on developing robust policy analysis. This could help further embed in the Agency the difference between policy advocacy and general corporate communications
- 2) Regions and Areas could periodically report back to Head Office on their use of corporate position statements, to assist co-ordination of regional political relationships and learning.

Improving policy advocacy effectiveness on EU issues:

- 3) The Agency could itself initiate a number of comparative reviews between EU countries – some focussed on differing national approaches to the implementation of specific EU environmental Directives, others on the challenge of delivering joined up action with respect to wider thematic policy priorities
- 4) The Agency could, in context of the new section (4) guidance, review with the Environment Minister the *1997 Memorandum of Understanding between the DOE and the Environment Agency on the Handling of International Activities*
- 5) The Agency could conduct research with SEPA, DEFRA and other Government departments to consider the merits and disadvantages of the different Agency – Government arrangements across Europe. The implications of each institutional framework / arrangement for both EU policy influencing and EU policy implementation could be considered, and options to enhance UK effectiveness on EU issues could then be identified
- 6) The Agency could, in partnership with the European Environment Agency and others, conduct research exploring how EU Environment Protection Agencies (EPAs) could be better networked to enhance their contribution to EU policy and thereby improve the effectiveness of EU policy development
- 7) The Agency could raise the opportunity for a number of secondments to the Head Office Policy Unit for those working on regional policy influencing, and for further secondments between the Agency and the European Commission and other EU member state EPAs. Wider opportunities to include EU dimension more in Head Office thinking and to better link the Agency's regional influencing work with Head Office policy advocacy could also be explored

Improving policy advocacy effectiveness on strategic issues:

- 8) The Agency could prioritise the building of its policy analysis capacity on strategic issues, so that it can more seriously engage in policy development. This could include an extension of R&D on new policy instruments, and a new political science R&D programme analysing policy processes, jointly led by the Policy Unit and Corporate Affairs.
- 9) The Agency could explore opportunities to promote learning from the approach taken on the *Water resources for the future* strategy to other key policy areas, such as waste and flood defence
- 10) The Agency could prioritise building its social and economic policy analysis capacity, so that it is able to contribute effectively to the development of new policy packages which may impact its mission or operations.

Improving use of stakeholder engagement to support policy advocacy:

- 11) The Agency could work with DEFRA to prioritise the development of relationships with MEPs sitting on the Environment Committee, in particular to help deliver integrated policy implementation
- 12) The Agency could prioritise the development of relationships with a small group of MPs with a strong interest in the environment or other Agency activities (e.g. flood defence).
- 13) The Agency could further *mainstream* the partnership approach to policy advocacy described in the Vision through framing particularly sensitive areas of policy relevant R&D in partnership with stakeholders, in line with the OST guidelines on scientific advice and policy making

Developing expertise to improve policy advocacy capability:

- 14) The Agency could host a workshop on the Science Plan with external stakeholders, including policy stakeholders, to inform its future development. Directors' Policy Steering Group could also be asked to consider the Science Plan from a policy advocacy perspective
- 15) The Agency could integrate into its horizon scanning process the need to consider requirements for new expertise (such as, for example, the possible need for additional expertise on health and recycling / composting issues)
- 16) The Agency could prioritise investment in its economic and social science capacity, to improve integration of economic and social issues into Agency policy advocacy

Developing an Agency policy advocacy culture:

- 17) Agency Directors could underline the new organisational commitment to policy advocacy, for example by:
- raising the internal profile of the overall corporate position statements and underlining their status
 - amending the title of the Director of Water Management to Director of Policy and Water Management
 - committing to regular evaluation of the organisation's policy advocacy effectiveness
 - committing to a 2005 aim for Agency strategic policy advocacy, as seen by stakeholders, to be significantly better, measured against both 2002 and English Nature performance

Improving measurement of Agency policy advocacy effectiveness

- 18) To improve measurement of Agency policy advocacy effectiveness, the Agency could commit to:
- Regular self assessment of the achievement of policy objectives and shifts in Government position, with summary progress reports to Policy Steering Group, for all policy priorities
 - Periodic reputation analysis, asking key Government, Business, and NGO stakeholders (including at EU level) to score and comment on Agency influencing effectiveness

Measures of 'success out' would need to be considered alongside an assessment of 'effort in' (e.g. an estimate of resources allocated to policy advocacy priorities)

Appendix 1: Stakeholders interviewed

The cross-section of Agency and English Nature representatives interviewed were identified with Chris Newton (Agency Head of Sustainable Development) and James Marsden (English Nature Head of Policy):

Environment Agency	English Nature
<ul style="list-style-type: none"> • Geoff Bateman, Area Manager, Devon • Chris Birks, Regional Director, Thames Region • Anna Burns, GLA Liaison Manager, GLA Liaison Team • Robin Chatterjee, Briefing Policy Relations Manager, NIR • Philip Douglas, Policy Development Officer, SD Unit • Jeff Cooper, Producer Responsibility Policy Manager, Waste • Neil Emmott, EU & International Relations Manager, NIR • Alun Gee, Area Manager, SE Wales • Simon Halfacree, Technical EP Support Officer, Wales • Sir John Harman, Chairman • John Holmes, Head of R&D • Tina Horswill, EP Business Planner, SATIS • Steve Lee, Head of Waste Regulation • Paul Leinster, Director of Environmental Protection • Geoff Mance, Director of Water Management • Helen McCallum, Director of Corporate Affairs • Chris Newton, Head of Sustainable Development • Elaine O'Donnell, Head of Public Affairs • Lynn Owen, Welsh Assembly Liaison Officer, Wales • Ronan Palmer, Chief Economist, SD Unit • Sara Parkin, Board member • Jim Poole, Corporate Strategist, Wales • Naresh Rao, Corporate Planning Manager, Corporate Planning • Helen Richardson, Agricultural Policy Advocate, Land Quality • Robert Runcie, Regional Director, NW Region • Chris Saville, Waste Planning Officer, Anglian Region • John Seager, Head of Environmental Monitoring and Assessment • David Wardle, Area Manager, NE Thames • Barbara Yates, Planning & Corporate Affairs Manager, Midlands Region • Barbara Young, Chief Executive 	<ul style="list-style-type: none"> • Jonathon Burney, Economist and Acting EI Team Manager • Sue Collins, Director of Policy • Helen Doran, Sustainability Advisor • Vicky Etheridge, EU Relations Manager • Michael Ford, Political Analyst • Angela Jones, Acting joint waste sector lead & review of consents officer • James Marsden, Head of Policy • Alistair Rutherford, Head of Agriculture • Janette Ward, General Manager, SW & Head of Regional Policy • Will Williams, Manager, NW Region • Richard Wright, Lowlands Team Manager & Agriculture / Forestry Policy Lead

Interviews with stakeholders from Government / Politics, Business and NGOs were used to triangulate perceptions:

External stakeholders – Government / Political representatives	
UK level	<ul style="list-style-type: none"> Philip Andrews, Secretariat to Policy Commission on Food and Farming (now Head of Sheep Policy, DEFRA) Mike Ashley, Director, Local Government International Bureau (LGIB) Andrew Bennett MP, Joint Chair, UK Parliament ETR Select Committee (1997-2001) Sue Ellis, Head of Waste Policy, DEFRA Andrew Field, Environment & Transport Tax Team, HMT Richard Findon, Head of Sustainable Agriculture, DEFRA Peter Madden, Special Advisor to Environment Minister James Marsden, Head of Policy, English Nature (commenting on EA) Ian Pickard, Policy Advisor, SD Unit, DEFRA Helen Richardson, Agricultural Policy Advocate, Environment Agency (commenting on EN) Dan Sweeney, Policy Advisor, SD Directorate, DTI
EU level	<ul style="list-style-type: none"> Michael Hamell, Head of Agriculture & Soil, DG Environment Marc Van Heukelen, Head of Agriculture & Structural Funds Unit, DG Budget Caroline Jackson MEP, Chairman, European Parliament Environment, Consumer Protection & Public Health Committee Otto Linher, Administrator, Sustainable Resources Unit, DG Environment Jock Martin, Project Manager for Reporting Systems, European Environment Agency (EEA) Katherine Riggs, 1st Secretary, Agriculture, UKREP Martin Scheele, Deputy Head, Analysis and Overall Approach, Economic Analysis & Evaluation, DG Agriculture Terry Shears, Co-ordinator, IMPEL Pierre Strosser, Economist, SD Unit (Water Framework Directive), DG Environment
External stakeholders - Business representatives	
UK level	<ul style="list-style-type: none"> Andrew Ainsworth, Senior Policy Executive, Environmental Services Association (ESA) Janet Asherson, Head of Environment Affairs, Confederation of British Industry (CBI) Allan Buckwell, Chief Economist, Country Land & Business Association (CLA) Wayne Fletcher, Policy Officer, Federation of Small Businesses (FSB) Peter Jones, Director, External Relations, BIFFA Waste Services Brian McLoughlin, Head of Environment & Rural Affairs Department, National Farmers Union (NFU)
EU level	<ul style="list-style-type: none"> Ross Bartley, Environment Director, Bureau of International Recycling (BIR) Euros Jones, Planning & Economic Affairs Manager, EU Crop Protection Association (ECPA) Damien Rees Phillips, Policy Director, Bureau Agricole de Bretagne Kay Twitchen, President, Association for the Sustainable Use and Recovery of Resources in Europe (ASSURRE) Vanya Veras, Secretary General, European Federation of Waste Management and Environmental Services (FEAD) Resto Volanen, Secretary General, Committee of Agricultural Organisations (COPA)

External stakeholders – NGO representatives	
UK level	<ul style="list-style-type: none"> • David Burges, Head of Future Landscapes, WWF • Chris Hewett, Senior Research Fellow, IPPR • Gregor Hutcheon, Head of Rural Policy, CPRE • Ben Shaw, Senior Policy Advisor, Green Alliance • Vicki Swailes, Head of Agriculture Policy, RSPB • Stephen Tindale, Executive Director, Greenpeace
EU level	<ul style="list-style-type: none"> • David Baldock, Director, Institute of European Environment Policy (IEEP) • Lorenzo Consoli, EU Policy Adviser, Greenpeace International EU Unit • John Hontelez, Secretary General, European Environmental Bureau (EEB) • Tony Long, Director, WWF European Policy Office • Miguel Naveso, Head of ECO, BirdLife International • Martin Roocholl, Director, Friends of the Earth Europe

External stakeholders were chosen on the basis of satisfying the following two criteria:

- They have an interest in the contribution to policy development made by the Environment Agency and/or English Nature
- They are perceived as influential players in the policy community. An initial base of agriculture, waste and overall environment / sustainable development stakeholders was agreed with Helen Richardson (Agency agriculture policy advocate), Steve Lee / Jeff Cooper (Agency Head of Waste Management, Agency Producer Responsibility Manager), and Chris Newton (Agency Head of Sustainable Development)¹⁵⁷. Additional 'influential' stakeholders were included on the recommendation of Government and European Commission interviewees

¹⁵⁷ The initial base of waste stakeholders was identified from participants in the June – December 2001 Agency waste policy advocacy process. Participants in this process were agreed with Steve Lee (Agency Head of Waste Management), Jeff Cooper (Agency Producer Responsibility Manager) and Chris Newton (Agency Head of Sustainable Development). In addition, participants in the initial workshop of the waste policy advocacy process themselves identified additional stakeholders.

Appendix 2: Membership of Agency 06/01- 12/01 waste policy working groups

Policy working group (1) : Placing resource productivity centre stage in sustainable waste management	
Internal expertise	External expertise
<ul style="list-style-type: none"> • Martin Bigg, Head of PIR • John Colvin, Social Policy Manager • Jeff Cooper, New Duties Manager, Waste function • Philip Douglas, Research Co-ordinator • Colin Foan, Technology Assessor, NCRAOA • Jeremy Frost, EP Manager, North West • Steve Lee, Head of Waste • Chris Newton, Head of Sustainable Development • Chris Saville, Waste Planning Officer, Anglian Region 	<ul style="list-style-type: none"> • Sue Ellis, Head of DETR Waste Policy Division • Tony Gillet, Waste Policy Officer, Daventry District Council • Dominic Hogg, Director, Eunomia consultants • Peter Jones, Director, Development & External Relations, Biffa • Andy Rees, Head of Wales Waste Policy Support Unit • Alison Sharp, Cabinet Office Performance & Innovation Unit • Ben Shaw, Senior Policy Officer, Green Alliance • Jim Skea, Director, Policy Studies Institute • Philip Smith, Land Use Consultants (conducting DETR research into future waste management decision making framework) • Karine Pellaumail, Waste campaigner, Friends of the Earth
Policy working group (2): Economic instruments and incentives for waste reduction, re-use, and recycling	
Internal expertise	External expertise
<ul style="list-style-type: none"> • Martyn Cheesbrough, Prevention and minimisation programme manager • Jeff Cooper, New Duties Manager, Waste function • Philip Douglas, Research Co-ordinator • Henry Leveson Gower, Economic Analyst • Steve Lee, Head of Waste • Ronan Palmer, Chief Economist • Chris Saville, Waste Planning Officer, Anglian Region • Tim De Winton, Strategic Planning Manager, South West 	<ul style="list-style-type: none"> • Sarah Downes, Waste Policy Officer, Waste Policy Support Unit • David Foley, Environmental Researcher, Xerox Europe • Ray Georgeson, Policy Director, WRAP • Dominic Hogg, Director, Eunomia consultants • Peter Madden, Special Advisor to Environment Minister, DEFRA • Trevor Reid, DTI Environment Waste Advisor • Ben Shaw, Senior Policy Officer, Green Alliance • Jim Skea, Director, Policy Studies Institute • Peter Toombs, Waste Policy Officer, LGA • Karine Pellaumail, Waste campaigner, Friends of the Earth
Policy working group (3): Producer responsibility	
Internal expertise	External expertise
<ul style="list-style-type: none"> • Amanda Barratt, NWRU Manager, Thames Region (PRN experience) • Jeff Cooper, New Duties Manager, Waste function • Philip Douglas, Research Co-ordinator • Jon Foreman, EPNS Waste Minimisation Advisor • Henry Leveson Gower, Economic Analyst • Chris Newton, Head of Sustainable Development • Ronan Palmer, Chief Economist • Bill Watts, Economic Analyst 	<ul style="list-style-type: none"> • Mark Downs, DTI Head of Waste Policy • Wayne Fletcher, Policy Officer, Federation of Small Businesses • David Foley, Environmental Researcher, Xerox Europe • Ray Georgeson, Policy Director, WRAP • Adrian Cole, Envirowise • Tim Hill, Business & Environment Branch, National Assembly for Wales • Tim Jackson, Centre for Environmental Strategy, Surrey University • Peter Jones, Director, Development & External Relations, Biffa • Otto Linher, EC DG Environment, Resources & IPP • Shiela McKinley, DETR Head of Producer Responsibility • Ben Shaw, Senior Policy Officer, Green Alliance

Appendix B2

ENVIRONMENT AGENCY WASTE POLICY WORKING GROUPS

ANALYSIS OF STAKEHOLDER POLICY RECOMMENDATIONS

FOREWORD

By Sir John Harman, Chairman of the Environment Agency

Waste is correctly identified as one of the Government's headline Quality of Life Indicators – its effective management is a key environmental challenge for the UK, also impacting on several other policy priorities, including climate change, health, and the economy. The fact that it is a failing indicator demands urgent attention, making the current review by the Cabinet Office both necessary and timely.

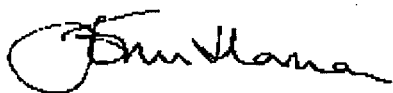
As the Government's leading advisors on environmental issues, we want to see action that will turn round the inefficient use of materials and the unnecessary disposal of wastes. Whilst Waste Strategy 2000 provides a framework for future policy development we believe it fails to inject sufficient urgency about the pace and scale of the change that will be necessary to turn this problem around.

A key theme of this report is the need for integrated solutions, involving both the right mix of regulation and economic incentives, and also the engagement of the general public and local communities in a well-informed debate about the problem and how they can be part of the solution.

The Environment Agency is committed to helping strengthen the link between policy and practice. In context of the challenge of shifting from waste to sustainable resource management, this document sets out diverse views on a range of policy options. It is the product of a process of stakeholder engagement, and reflects our commitment to listening to others in developing our policy advice. It has already been used to inform our contributions to Cabinet Office, DEFRA, DTI, and HMT.

This raises a broader point – a theme that is central to our *Environmental Vision*. Whether on waste or on other policy areas, we will not be able to deliver our outcomes by regulation alone. We will need wider policy change, and we will need to work more in partnership, as part of our overall commitment to helping deliver environmental outcomes set in their proper social and economic context.

We recognise that waste and resource productivity brings together a diverse range of players, and we look forward to working with all those with an interest in or responsibility for taking forward this key policy area.



SIR JOHN HARMAN

<p style="text-align: center;">Environment Agency Waste Policy Working Groups Analysis of Stakeholder Policy Recommendations</p>

Contents

1. Executive summary
2. Context and Drivers
3. Nature of the Report
4. Methodology and overall process
5. Analysis of Stakeholder Policy Recommendations

Appendix 1: Environment Agency input to November 2001 DEFRA
Waste Summit

Appendix 2: Members of stakeholder policy working groups

Appendix 3: Stakeholder consensus and disagreement on policy
recommendations

Appendix 4: Acronyms

Appendix 5: Qualitative stakeholder views

Helen Chalmers and Philip Douglas
Sustainable Development Unit
Environment Agency
21 December 2001

1. EXECUTIVE SUMMARY

The effective management of waste is a key environmental challenge for the UK and impacts on a range of other policy priorities, including climate change, health, and the economy. This report identifies:

- Key policy recommendations, considered by a range of stakeholders, to be fundamental in placing resource productivity centre stage in sustainable waste management
- Key stakeholder views on each of the recommendations

The Environment Agency is committed to helping strengthen the link between policy and practice, and this work will be used to inform the Agency's contributions to Government thinking on resource productivity and sustainable waste management. In fact, we have already used stakeholder comments to inform several key Agency policy positions, including:

- The Agency's overall corporate position statement on waste
- The Agency's 10 Point Plan presented at the November 2001 DEFRA Waste Summit¹
- A key paper to HMT on economic instruments, majoring on waste
- The Agency's response to the DTI Renewables Obligation

In the immediate term, the Agency looks forward to working with the Cabinet Office Performance and Innovation Unit in taking forward their waste project², and we particularly welcome their interest in this report. Moreover, the Agency recognises that waste and resource productivity brings together a diverse range of players, and we look forward to working with all stakeholders in taking forward this key policy area.

1.1 STAKEHOLDER PRIORITIES

The following table presents the policy recommendations identified by stakeholders as making the most difference to placing resource productivity centre stage in sustainable waste management.

Table (1). How much difference would it make?³

Rank	Reference	Recommendation	Score
1	PWG2 1.1	Develop economic incentives in the context of an environmental strategy	2.5
2	PWG1 1.1	Adopt and outcomes based approach	2.4
	PWG2 2.6	Public sector leadership on green procurement	2.4
4	PWG1 2.3	Promote kerbside collection of household waste	2.3
5	PWG2 1.2	Reform Landfill Tax into a waste disposal tax	2.2
6	PWG2 2.3	Promote economic instruments to help develop markets for recyclables	2.0
	PWG2 2.5	Simulate market development for eco-designed products	2.0
8	PWG1 3.1	Pre-separate valuable and potentially hazardous materials from incineration	1.9
9	PWG1 1.2	Signal a long term aim to shift waste practice in line with the waste hierarchy	1.8
	PWG1 1.3	Set recycling and composting targets in line with vision	1.8
	PWG1 2.1	Take a broad participatory approach to waste decision making	1.8
	PWG2 1.7	Allow local authorities to pilot variable charging schemes	1.8

¹ Appendix 1 gives the Agency's input to the November 2001 DEFRA Waste Summit

² Tackling Waste - A Performance and Innovation Unit Scoping Paper, December 2001

³ Table 1a. is based on stakeholders' answers to the question: "How much difference would it make?", with "a small step", "a significant step" and "a fundamental step" being scored as 1, 2 and 3 respectively (with positive scores for "a step forward" and negative scores for "a step backward"). For this purpose, the data was normalised – i.e. internal Agency stakeholders were combined into one voice, so that the average scores would not be biased by the dominance of Agency stakeholders on the working groups.

1.2 STAKEHOLDER COMMENTS

Policy working group (1)

Placing resource productivity centre stage in sustainable waste management

The fundamental issue highlighted by this stakeholder working group process was the need for a strategic shift from a focus on compliance to one on joined up outcomes. Accordingly, success should be measured in terms of delivery of environmental and Quality of Life outcomes rather than regulatory activity.

There was broad support for clear strategic outcomes, realistic targets over meaningful time-scales, with strategic policy to reflect a long term vision for achieving zero waste. Most stakeholders agreed that signalling a long-term aim to shift waste practice in line with the waste hierarchy is "critical", constituting a significant or even fundamental step forward.

Whilst also recognising the limitations of the waste hierarchy in local decision making, stakeholders questioned the ability of the Best Practicable Environmental Option (BPEO) concept and computer modelling tools to help deliver the desired outcomes for resource productivity and sustainable development.

More generally, stakeholders identified the need to integrate current mechanisms and systems of waste management and rectify conflicting objectives between key players, to ensure consistency across policy and practice. In particular, developing links between the generation, separation, collection, recovery and disposal of waste was thought to play an important part in changing attitudes and behaviour.

There was broad support for more community engagement in waste decision making. Alongside improving access to data and information and ensuring a transparent process for monitoring waste management facilities, participatory approaches were considered key to raising public awareness and building confidence and trust.

Stakeholders were also keen to gain maximum benefit from existing waste management facilities, for example by generating CHP from incinerators and maximising the recovery of landfill gas, while increasing R&D into new technologies such as gasification and pyrolysis.

Policy working group (2)

Economic instruments and incentives for waste reduction, re-use and recycling

Waste disposal is too cheap and there are insufficient incentives for waste reduction, re-use and recycling. Most stakeholders broadly supported realigning incentives with the waste hierarchy, for example through increased landfill tax and wider reform of the landfill tax regime. In particular, there was strong support for reforming the landfill tax into a waste disposal tax, with graduated charges according to the environmental costs of the disposal method.

More generally, stakeholders called for a review of the whole spectrum of fiscal instruments impacting on waste management, in line with an outcomes based approach towards resource productivity and sustainable waste management. Existing instruments, such as the Climate Change Levy and Private Finance Initiatives were seen to undermine the waste hierarchy by favouring incineration and landfill over recycling. In particular, the recommendation to remove the exemption of energy from waste incineration and landfill from the Climate Change Levy (CCL) was seen as offering a significant step forward.

There was strong support for variable charging, which was seen as a significant or even fundamental step forward in terms of stimulating behaviour change. Moreover, there was general agreement that legislation to allow local authorities to pilot variable charging is a possibility in the short term.

The principle of stimulating the market for eco-designed products received widespread support, with stakeholders saying that such policy change would generally constitute a significant to fundamental step forward. However, in terms of the specific ideas relating to this principle, opinion was divided. In particular, there was concern about the lack of agreement over what constitutes an eco-designed product, in context of potential economic instruments / incentives.

More public sector leadership on green procurement was also considered a short term priority, with many stakeholders emphasising the potential positive impact on the demand for recycled and eco-designed products.

Policy working group (3)

Producer responsibility

There was widespread support for greater emphasis on producer responsibility. Tackling waste production at source was considered a critical element of placing resource productivity centre stage in sustainable waste management.

Increasing the pace of producer responsibility initiatives was generally seen as a significant to fundamental step forward. However, some stakeholders remain unconvinced, and many argued for a greater focus on the implications of imminent European Directives, such as WEEE and the End of Life Vehicle's Directive – and the Agency's ability to police these schemes. Most stakeholders remain cautious about broadening the range of products covered by statutory initiatives and agree that systems need to be carefully thought through, smartly designed and based on outcomes.

Moves to improve the provision of data and information on waste and resource flows were seen as critical for encouraging transparency and responsibility, and for measuring environmental performance. Good information was seen as invaluable to understanding the real drivers behind the growth in waste arisings.

Statutory corporate environmental reporting was argued to be an important mechanism for encouraging improved environmental performance through transparency and accountability. However, the impact of reporting was disputed and may well very much depend upon supporting guidelines, targets, and systems for verification and enforcement.

2. CONTEXT AND DRIVERS

2.1 CONTEXT

The Environment Agency's Vision calls for a more outward looking organisation, contributing its experience and expertise more to assist policy development on the environment. This work forms part of such engagement, and will help the Environment Agency make a considered contribution to the Government's thinking on resource productivity and sustainable waste management.

Many requests are made of the Environment Agency to contribute to policy development fora on resource productivity and waste management. The Cabinet Office PIU resource productivity study and waste project⁴, for example, has firmly raised the challenge of placing resource productivity centre stage in sustainable waste and energy management.

The Environment Agency is committed to helping strengthen the link between policy and practice. Stakeholder working groups were therefore established to consider the implications of resource productivity and sustainable development for waste management policy.

DEFRA November 2001 Waste Summit

Margaret Beckett, the Secretary of State for Environment, Food and Rural Affairs, has recognised the need to review where we stand with regard to progress in waste management. She held a Waste Summit involving a range of key stakeholders on 21 November 2001. The summit provided a forum to discuss what was working and what was not as regards the waste strategy; and what needed to be done to ensure the waste strategy was delivered.⁵

Sir John Harman and Barabara Young, the Environment Agency's Chairman and Chief Executive, were pleased to participate in the Waste Summit. The Agency takes the view that whilst Waste Strategy 2000 [WS2000] provides a framework for future policy development it nevertheless fails to inject sufficient urgency about the pace and scale of the change that will be necessary to turn the waste problem around. We have identified 10 significant barriers to delivery and have offered solutions to overcoming them (Appendix 1 gives the Environment Agency input to the DEFRA Waste Summit).

Cabinet Office Performance & Innovation Unit Waste Project

The Environment Agency looks forward to working with the Cabinet Office PIU on their waste project. The PIU scoping paper sets out the following project objectives⁶:

- To review the current position in terms of progress towards meeting our EU objectives under the Landfill Directive and those in WS2000.
- To review, revise and add to the existing targets and instruments to produce a balanced package of cost-effective measures to meet the EU directive and enhance the effectiveness of domestic waste management.
- Seek to establish the potential magnitude of additional funding over the period, including priority areas for action / funding, the effects of later or earlier spending and the scope for

⁴ Resource productivity: making more with less. A PIU Report – November 2001

⁵ A number of key themes emerged from the DEFRA Waste Summit, which are summarised at <http://www.defra.gov.uk/environment/waste/review/summary.htm>

⁶ Tackling Waste - A Performance and Innovation Unit Scoping Paper, December 2001

actions now to reduce costs in future; and how current spending allocations could best contribute to getting the process started.

- To identify current weaknesses in our understanding of waste streams and recommend further work in these areas.
- To facilitate greater understanding, closer co-operation, ownership of actions and improve the alignment of objectives, amongst the wide range of stakeholders involved in delivering Waste Strategy 2000.

2.2 DRIVERS

Fundamental drivers

There is debate over the level of resource productivity required to deliver sustainability. Some argue that, if all the world's projected population is to be brought up to an acceptable standard of living, a factor 10 increase in resource productivity is needed.⁷ In any case, there is certainly a need to break the link between economic growth and waste arisings in England and Wales. As the Agency's *Environment 2000 and Beyond* report notes: "While emissions to air and water have generally been declining, the quantities of waste have generally been increasing... Household waste is currently about 25 million tonnes per year but is increasing by an average of 3% per year..."⁸ Moreover, the Government's headline indicator on waste arisings publicly echoes this need for change on an annual basis.⁹

The fundamental drivers for action on waste are as per the Government's strategy for sustainable development:¹⁰

- **effective protection of the environment**
 - increasing reduction, re-use and recycling of products reduces the demand for virgin materials, which in turn reduces the pressure on biodiversity
 - landfill space is increasingly scarce in some parts of England and Wales
- **prudent use of natural resources**
 - resource productivity is key to climate change mitigation and enhanced economic competitiveness
- **social progress that meets the needs of everyone**
 - public concern over health risks from landfill and energy from waste plant can be reduced by increasing levels of waste reduction, re-use and recycling
 - community recycling and composting projects can help address social exclusion (e.g. Liverpool CREATE project provides training and employment for the long term unemployed)
- **high and stable levels of economic growth and employment**
 - the waste management sector makes a significant contribution to the economy, with a shift in practice away from the bottom of the waste hierarchy offering the potential for significant job creation¹¹
 - the waste management sector can strengthen the stability of the regional economy, for example through development of local processing capacity to match expanded supplies of recycled materials

⁷ Noted in The Committee of Inquiry: A New Vision for Business, Forum for the Future, October 1998

⁸ Section 3.5, Stresses and Strains on the Environment. EA Env 2000 and Beyond, Dec 2000

⁹ Quality of life counts: indicators for a strategy for sustainable development for the UK, 1999

¹⁰ A Better Quality of Life: A strategy for sustainable development for the UK, May 1999

¹¹ Jobs in a sustainable economy. J Renner, Worldwatch, 1991

Levers for change – EU Level

- EU Directives: Waste Management [the 'Framework Directive']; Integrated Pollution Prevention and Control (IPPC); Landfill; Packaging and Packaging Wastes; End of Life Vehicles; batteries, Hazardous Wastes, Waste incineration.
- Future Directives on waste electric and electronic equipment, composting, batteries and accumulators, revision to Packaging & Packaging Wastes, and hazardous mining waste.
- EU regulations, including those relating to waste shipments and waste statistics.
- The proposed Sixth Environment Action Programme of the European Community 2001-2010.

Landfill Directive

The main requirements of the Landfill Directive are as follows:

- Targets for the reduction of biodegradable municipal waste to landfill.
- Banning co-disposal of hazardous and non-hazardous wastes and requiring separate landfills for hazardous, non-hazardous and inert wastes.
- Banning the landfill of tyres (by 2003 for whole tyres, by 2006 shredded tyres).
- Banning landfill of liquid wastes, infectious clinical waste and certain types of hazardous waste (eg. Explosive, flammable).
- Provisions on the control, monitoring, reporting and closure sites.

Integrated Product Policy

Integrated Product Policy (IPP) is an approach that begins by asking how the environmental performance of products can be improved most cost-effectively. It is founded on the consideration of the impacts of products throughout their life-cycle, from the natural resources from which they come, through their use and marketing to their eventual disposal as waste. It is also a relatively new approach to environmental policy.

On 7th February 2001, the European Commission adopted a Green Paper on IPP with the objective of launching a debate on the role and possible measures that could be taken on a European Union level. IPP could use a range of policy instruments:

- to reduce and manage wastes (e.g. takeback legislation)
- to promote green procurement (e.g. investment in R&D, eco-design)
- to create markets for environmentally sound products (e.g. eco-taxes, green procurement)
- to transmit environmental information (e.g. ecolabels)
- to extend responsibility for managing the environmental burdens of product systems

Levers for change – UK and regional level

Key levers, as set out in Waste Strategy 2000, include:

- Major new Waste and Resources Action Programme, to deliver increases in reduction, re-use, and recycling
- Piloting a scheme to require public procurement of certain recycled products, initially paper goods
- Producer responsibility initiatives, for example on junk mail
- Landfill tax escalator
- Tradable permits to limit the amount of biodegradable waste local authorities in England can send to landfill
- Extending the landfill tax credits scheme to community re-use and recycling projects
- Waste minimisation requirements of the IPPC regime
- Best Practice programmes, and the 'Are you doing your bit?' campaign

3. NATURE OF THE REPORT

This paper will be used to inform the Environment Agency's policy advice to Government. It reports interviews conducted as part of the stakeholder working group process conducted by the Environment Agency to consider the implications of resource productivity and sustainable development for waste policy. The report provides an analysis of stakeholders views on three sets of stakeholder policy recommendations.

Waste from business and households, especially the latter, is widely accepted as particularly challenging.¹² To ensure manageability, the work focused on the 106 million tonnes / year of material wastes produced by industry, commerce and households, and particularly the 28 million tonnes / year generated from households¹³

It must be emphasised that **the recommendations are stakeholder policy recommendations (SPRs) – i.e. they were identified from a variety of sources (as listed below), and are not necessarily endorsed by the Environment Agency.**

Sources of stakeholder policy recommendations:

- Interviews, with:
 - DETR, DTI, WRAP, Local Government Association
 - Dudley and Lewisham LAs (with Cabinet Office PIU team)
 - Welsh Assembly Waste Support Unit
 - EC DG Environment (Waste, resources and sustainable consumption team)
 - Business (Xerox and Biffa waste services)
 - Academics (Prof Judith Petts and Dr Tim Jackson)
 - Consultants (Land Use Consultants, Ecologika, Eunomia Research)
 - Research organisations (IPPR, Forum for the Future, Green Alliance)
 - NGOs (FoE, WasteWatch, WWF)
- Regional engagement
 - Report of East of England (5 March 2001, "From waste to wealth" conference)
- Environment Agency documents
 - Evidence to select committee inquiry on delivering sustainable waste management
 - Consultation response to DETR Draft Waste Strategy
- Report of the select committee inquiry into delivering sustainable waste management

Environment Agency policy recommendations and wider policy advice

The stakeholder policy recommendations (SPRs) contained within this document have been assessed throughout the stakeholder policy working group process and **have not been changed throughout the process**. However, having captured and listened to stakeholders' comments about the recommendations, the Environment Agency has used this information to help develop its policy positions, including:

- The Agency's overall corporate position statement on waste
- The Agency's 10 Point Plan presented at the Waste Summit
- A key paper to HMT on economic instruments, majoring on waste
- The Agency's response to the DTI Renewables Obligation

¹² ETRAC Select Committee Inquiry into Sustainable Waste Management, DETR Waste Strategy 2000

¹³ DETR Waste Strategy 2000

4. METHODOLOGY AND OVERALL PROCESS

Stakeholders were invited to comment on each of the three groups of stakeholder policy recommendations by interview or submission of views by email. The views of 90% of stakeholders involved in the working group process were captured. Telephone or face to face interviews were conducted under Chatham House rules and were structured around five questions:

1. How much difference would the policy recommendation make?
(a fundamental, significant, or small step forward / backward)
2. When can this recommendation be implemented?
(short, medium or long term)
3. Suggestions for improvement
4. Strengths and weaknesses of the recommendation
5. Relevant research and development

Stakeholder views have been analysed and are presented in section 5. A detailed list of qualitative un-attributed comments can be found in appendix 5. The graphs are based on data from both Agency and external stakeholders.

4.1 OVERALL PROCESS

Three policy working groups were established for a small number of policy areas identified as being key to the sustainability challenge of moving from waste to resource management. Policy Working Groups were structured around the following policy areas:

- 1) Placing resource productivity centre stage in sustainable waste management
- 2) Economic instruments and incentives for reduction, re-use and recycling
- 3) Producer responsibility

The group discussions were tasked with the overall aim of: *Promoting the rethinking of waste as a resource, by highlighting examples of good practice, by helping the Agency recommend to Government¹⁴ policy changes to multiply such practices, and by identifying relevant policy development opportunities.* The specific outcomes set for the workshops were as follows:

Workshops	Outcomes
Wave A June / July	<ul style="list-style-type: none">• To build understanding of stakeholders' positions and policy context• To agree policy areas / themes for discussion in WAVE B workshops
Wave B September	<ul style="list-style-type: none">• Constructive analysis of stakeholder policy recommendations for the agreed policy areas / themes – e.g. the extent to which each is short / long term, significant / insignificant, and suggestions for improvement
Wave C December	<ul style="list-style-type: none">• To map opportunities to promote the shift from waste management to sustainable resource management, in context of interim Agency policy positions

The working groups met as per the table below:

Group 1	Group 2	Group 3
June 22 (full day)	June 27 (afternoon only)	July 3 (afternoon only)
Sept 17 (full day)	Sept 11 (morning only)	Sept 20 (afternoon only)
Dec 10 (full day)		

¹⁴ 'Government' here refers to both UK Government and the Welsh Assembly

5. ANALYSIS OF STAKEHOLDER POLICY RECOMMENDATIONS

The following text provides an analysis of stakeholder views captured by the workshop and interview process for each of the following stakeholder policy recommendations:

PWG 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT	
THEME 1: Removing barriers to joined up thinking, working, outcomes	
1.1	Adopt an outcomes based approach
1.2	Signal a long term aim to shift waste practice in line with the waste hierarchy
1.3	Set recycling and composting targets in line with vision
1.4	Consider value of single waste management authorities
1.5	Parallel track environmental and planning permits
1.6	Take further action on fly-tipping
THEME 2: Community engagement and culture	
2.1	Take a broad participatory approach to waste decision making
2.2	Broaden membership of RTABs
2.3	Promote kerbside collection of household waste
2.4	Improve access to data
2.5	Ensure a transparent process for incinerator monitoring
2.6	Engage in public debate on health risks from waste management facilities
THEME 3: Role of energy from waste	
3.1	Pre-separate valuable and potentially hazardous materials from incineration
3.2	Signal that small incinerators are preferred
3.3	Site incinerators to meet local industrial demand for CHP
3.4	Do not classify energy from waste as renewable
3.5	Reduce number of landfill sites taking biodegradable wastes
3.6	Increase R&D into new technologies
PWG 2: ECONOMIC INSTRUMENTS AND INCENTIVES FOR WASTE REDUCTRION, RE-USE AND RECYCLING	
THEME 1: Realigning incentives with the waste hierarchy	
1.1	Develop economic incentives in the context of an environmental strategy
1.2	Reform Landfill Tax into a waste disposal tax
1.3	Reform Landfill Tax Credit Scheme governance
1.4	Reform Landfill Tax Credit Scheme priorities
1.5	Ensure PFI funding does not undermine the waste hierarchy
1.6	Ensure the Climate Change Levy does not undermine the waste hierarchy
1.7	Allow local authorities to pilot variable charging schemes
THEME 2: Stimulating the supply of and demand for recyclables and eco-design	
2.1	More transparency on recycling funding
2.2	Introduce tradable permits for local authorities' recycling and composting
2.3	Promote economic instruments to help develop markets for recyclables
2.4	Introduce recycled product standard
2.5	Stimulate market development for eco-designed products
2.6	Public sector leadership on green procurement
PWG 3: PRODUCER RESPONSIBILITY	
THEME 1: Information	
1.1	Statutory corporate environmental reporting
1.2	Oblige waste producers and managers to provide accurate waste data
1.3	Convene stakeholder group to agree protocols for eco-design
THEME 2: Waste / resource efficiency clubs	
2.1	R&D into growth in waste arisings to drive waste minimisation
2.2	Improve business understanding of hazardous waste management
THEME 3: Producer responsibility approaches	
3.1	Increase the pace of introducing producer responsibility initiatives
3.2	Introduce deposit refund schemes for household hazardous wastes
3.3	Review the producer responsibility framework for packaging
3.4	Review potential of single point responsibility for packaging PRNs
3.5	Review status of incineration in relation to PRNs

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

The fundamental issue highlighted by this stakeholder working group process was the need for a strategic shift from a focus on compliance to one on joined up outcomes. Accordingly, success should be measured in terms of delivery of environmental and Quality of Life outcomes rather than regulatory activity.

There was broad support for clear strategic outcomes, realistic targets over meaningful time-scales, with strategic policy to reflect a long term vision for achieving zero waste. Most stakeholders agreed that signalling a long-term aim to shift waste practice in line with the waste hierarchy is "critical", constituting a significant or even fundamental step forward.

Whilst also recognising the limitations of the waste hierarchy in local decision making, stakeholders questioned the ability of the Best Practicable Environmental Option (BPEO) concept and computer modelling tools to help deliver the desired outcomes for resource productivity and sustainable development.

More generally, stakeholders identified the need to integrate current mechanisms and systems of waste management and rectify conflicting objectives between key players, to ensure consistency across policy and practice. In particular, developing links between the generation, separation, collection, recovery and disposal of waste was thought to play an important part in changing attitudes and behaviour.

There was broad support for more community engagement in waste decision making. Alongside improving access to data and information and ensuring a transparent process for monitoring waste management facilities, participatory approaches were considered key to raising public awareness and building confidence and trust.

Stakeholders were also keen to gain maximum benefit from existing waste management facilities, for example by generating CHP from incinerators and maximising the recovery of landfill gas, whilst also supporting further R&D into new technologies such as gasification and pyrolysis.

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

THEME 1: REMOVING BARRIERS TO JOINED UP THINKING, WORKING, OUTCOMES

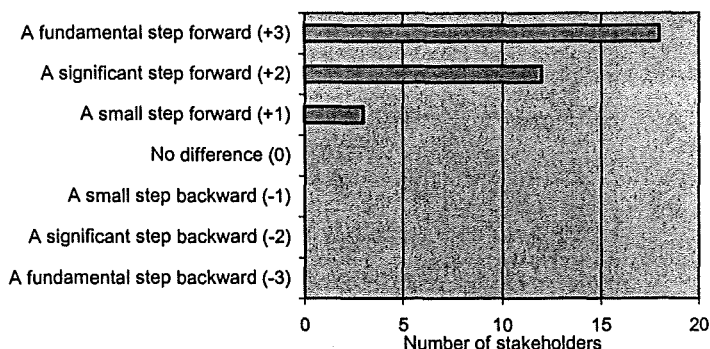
Stakeholder policy recommendation 1.1 Adopt an outcomes based approach

The success of the Waste Strategy should be measured in terms of outcomes rather than simply functional activity wherever possible. Placing incremental steps in the context of a long term vision is essential to taking a strategic approach. An environmental outcomes approach would mean:

- Setting targets for reducing the rate of growth and for the stabilisation of annual waste production, and considering how to achieve them
- Adopting a vision with respect to land pollution similar to that used for water pollution to the North Sea – i.e. 'to reduce with the aim of eliminating the disposal of toxic, persistent and bio-accumulative waste'
- Leading the rethinking of waste as a resource, by adopting a long-term goal of 'zero mixed waste'

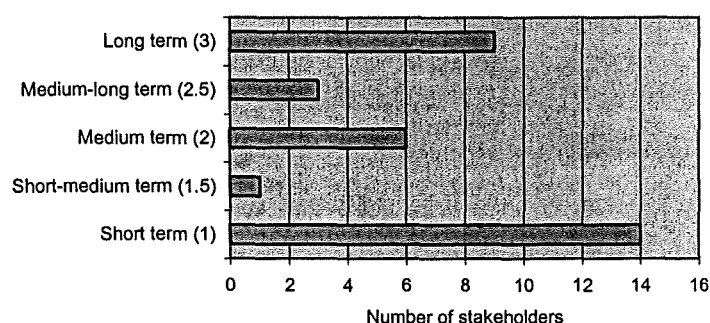
PWG 1 1.1: How much difference would it make?

AGENCY MEAN = 2.5, EXTERNAL MEAN = 2.4



PWG 1 1.1: Timescale

AGENCY MEAN = 2.0, EXTERNAL MEAN = 1.8



Stakeholder comments

Adopting an outcomes based approach was seen as fundamental to accelerating progress towards resource productivity – this recommendation drew the most support from stakeholders involved in the consultation process. However, stakeholders commented on the need to include delivery of Quality of Life as well as environmental outcomes.

There was broad support for clear strategic outcomes, realistic targets over meaningful timescales and joined up thinking – with strategic policy underpinned by a long term vision for achieving zero mixed waste. However, it was felt that this recommendation does not reflect the need for specified targets on waste prevention – and that society may wish to focus on those waste streams that pose the greatest environmental and health risk. Moreover, some emphasised that the concept of “waste as a resource” was a social construct, and that considerable culture change is required for this to become the social norm.

Some stakeholders questioned whether this recommendation was realistic and attainable, whilst others insisted that it was essential, demanding change in the short – if not immediate – term.

Stakeholder policy recommendation 1.2

Signal a long term aim to shift waste practice in line with the waste hierarchy

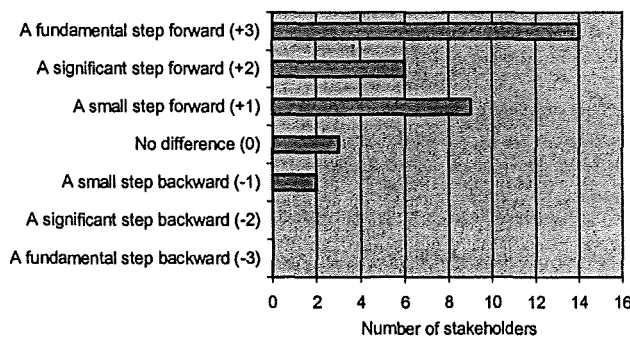
Government policy should encourage the BPEO/BPPO waste management mix to shift up the waste hierarchy over time, so that efficient waste reduction, re-use and recycling become the social norm.

However, there is a need for some flexibility with regard to the waste hierarchy at the local level, to allow stakeholders to agree waste specific assessments on the BPEO / Best Practicable Planning Option (BPPO), taking account of relevant environmental, social and economic factors. Nevertheless, the hierarchy provides broad strategic direction in the shift from waste to resource management, and moreover in relation to social and economic as well as environmental sustainability.

Accordingly, Government should signal a long term aim to shift waste management practice in line with the waste hierarchy.

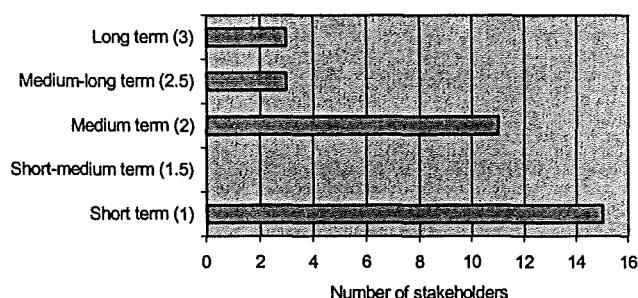
PWG 1 1.2: How much difference would it make?

AGENCY MEAN = 1.8, EXTERNAL MEAN = 1.8



PWG 1 1.2: Timescale

AGENCY MEAN = 1.5, EXTERNAL MEAN = 1.8



Stakeholder comments

Most stakeholders agreed that signalling a long-term aim to shift waste practice in line with the waste hierarchy is "critical" and should be applied in the short or medium term. Flexibility at local level was also seen as key – both in terms of avoiding long term contracts to supply large quantities of waste, and also to taking into account the full range of environmental, social and economic factors. Some stakeholders insisted that the Waste Strategy already attempted to emphasise the importance of waste reduction, re-use and recycling, in the context of the hierarchy.

Some argued that the rigidity of the hierarchy needs to be questioned at the local level in order to deliver the best environmental or sustainable waste management option. Equally, the use of BPEO (Best Practicable Environmental Option) or BPPO drew mixed support and was criticised for being "a very difficult and misguided concept in waste management" and "is often seen as a get out clause".

Overall, many highlighted the need for clarity and leadership and felt that "signalling" a long term aim did not go far enough to engender a "different paradigm in waste planning and management".

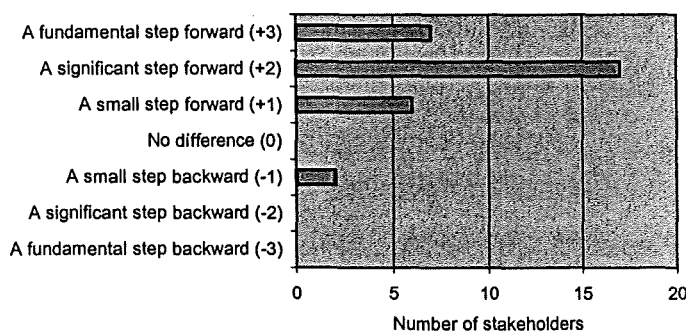
Stakeholder policy recommendation 1.3 Set recycling targets in line with vision

Holding onto a vision of efficient recycling as the social norm requires momentum to be maintained beyond 2005. Government should therefore set new national recycling targets for 2010 and 2015 which move England and Wales towards international best practice. Challenging targets for 2010 and 2015 are essential to ensuring the necessary investment in recycling now.

Examples of good practice: Switzerland.
52% recycling in 1998

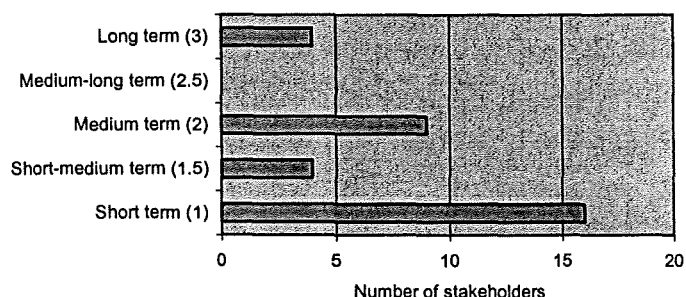
PWG 1 1.3: How much difference would it make?

AGENCY MEAN = 1.9, EXTERNAL MEAN = 1.8



PWG 1 1.3: Timescale

AGENCY MEAN = 1.1, EXTERNAL MEAN = 1.9



Stakeholder comments

Recycling targets are just “a small part of the jigsaw puzzle”. However, most stakeholders saw setting new targets in line with a long term vision and international best practice as either a significant or fundamental step forward. A vision of “effective” rather than “efficient” recycling was preferred, in order to not lose sight “of the need for waste minimisation” and the notion of a zero waste society.

Challenging targets are essential in stimulating action, measuring performance and maintaining momentum, with some stakeholders advocating higher targets for commercial and industrial, as well as municipal waste – particularly for the longer term. Equally, other stakeholders recommended reviewing progress in reaching the current targets before setting credible new ones.

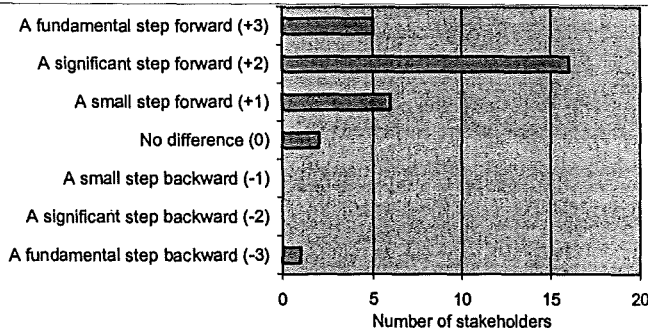
Putting recycling in context, one stakeholder commented: “Around 25% of local authorities may not meet existing recycling targets – whatever barriers exist need to be tackled and incentives set. Although local authority recycling has increased overall this is less than the continued national growth in waste arisings. Tougher and longer-term national targets may be part of the answer but not the whole”.

Stakeholder policy recommendation 1.4 Consider value of single waste management authorities

Government should give consideration to the use of single waste management authorities with responsibility for both collection and disposal, or introduce payment from waste collection authority to waste disposal authority per tonne of waste disposed of.

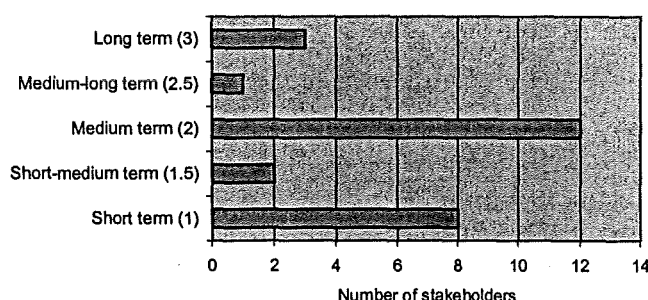
PWG 1 1.4: How much difference would it make?

AGENCY MEAN = 1.9, EXTERNAL MEAN = 1.5



PWG 1 1.4: Timescale

AGENCY MEAN = 1.6, EXTERNAL MEAN = 1.8



Stakeholder comments

Whether there is value in moving to single waste management authorities proved one of the most contentious issues amongst policy working group participants. General concerns centred on the potential size of single waste management authorities, with the suggestion that they should be small enough to ensure local community ownership of the responsibility for waste management.

More specifically, some stakeholders emphasised the need for consistency and integration between systems of waste generation, collection and disposal. Many highlighted the need to rectify the problems arising from the disconnected objectives of Waste Collection Authorities (WCAs) and Waste Disposal Authorities (WDAs). Key issues raised included "the disconnection between WCAs and WDAs, with the latter pushing for incineration" and "the recycling credits paid by WDAs to WCAs failing to reflect the marginal costs of collection". It was also argued that "credits should be payable to third parties to help community recycling schemes".

Others disagreed, arguing that the current system is adequate and that evidence is required to prove that the introduction of single waste management authorities would be more efficient and effective in delivering the best environmental outcomes. Some argued that the proposed change would simply constitute restructuring, rather than creating the required long term "whole system change and new ways of working".

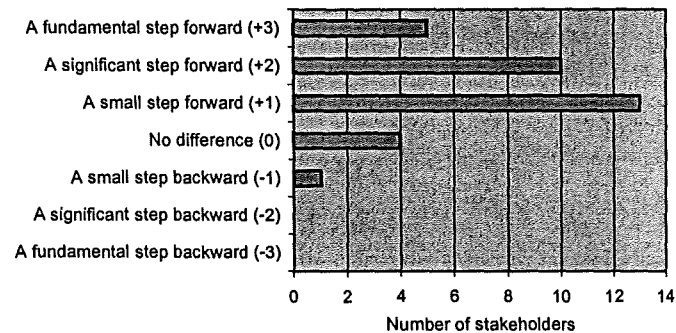
Stakeholder policy recommendation 1.5 Parallel track environmental and planning permits

Planning and pollution control applications should be made at the same time and the processes run in parallel.

This is especially relevant to municipal waste incinerators, which frequently encounter particularly strong public opposition. Parallel tracking of permits will reduce the average time required to develop facilities – so that applications for facility development could then be made less far in advance. Assessments of growth (or reduction) in waste arisings would therefore be more accurate, since one would not have to forecast so far into the future and make as many political assumptions. More accurate forecasts would then suggest development of a more appropriate quantity of incinerators (and other facilities), thereby reducing the risk of incinerators 'crowding out' better options within the waste hierarchy – not least waste reduction.

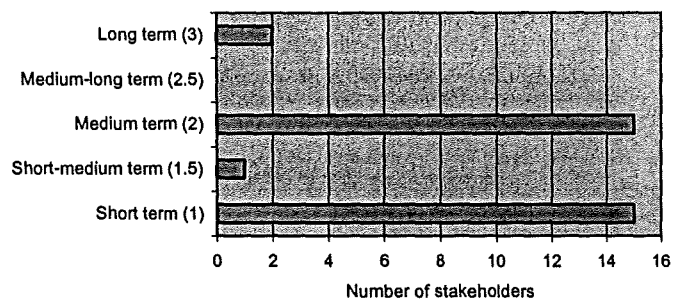
PWG1 1.5: How much difference would it make?

AGENCY MEAN = 1.1, EXTERNAL MEAN = 1.6



PWG1 1.5: Timescale

AGENCY MEAN = 1.3, EXTERNAL MEAN = 1.7



Stakeholder comments

Parallel tracking environmental and planning permits was considered a small to significant step forward in terms of resource productivity and sustainable waste management. A "one-stop shop" was argued to improve consistency and efficiency and to deliver greater transparency across the planning system.

However, some stakeholders expressed concerns that "parallel tracking will be seen as a fast track for incineration", and argued that first realigning economic incentives towards "top of the waste hierarchy options" will be necessary to counter this.

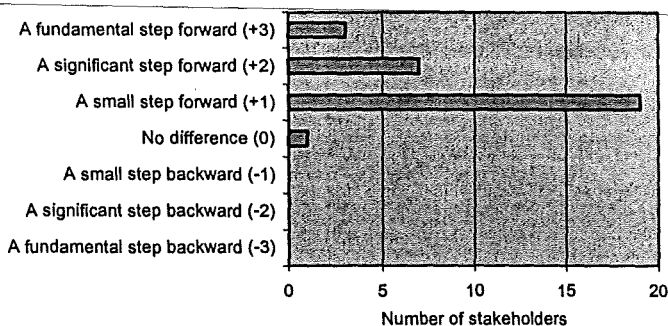
Whilst it was agreed that society needs to be able to deliver waste management solutions in a shorter timeframe, flexibility was also seen as essential to ensuring that local waste strategies adopt the best environmental option. As one stakeholder put it: "Germany experienced real problems with its "predict and provide" panic approach to waste. They built so many incinerators in the 1980s and early 1990s that they now have to import waste from Italy".

Stakeholder policy recommendation 1.6 Take further action on fly-tipping

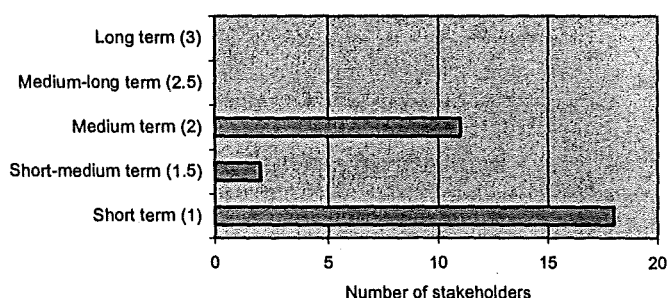
To assist appropriate action on fly-tipping, Government should:

- resource an environmental crime intelligence network, linked to Customs & Excise and the National Criminal Intelligence Service
- allow fines imposed by the courts in relation to Agency prosecutions to be given to the Agency to fund intelligence-based enforcement
- encourage magistrates to make full use of their powers to fine and, where necessary, to pass cases to the Crown Court.

PWG1 1.6: How much difference would it make? AGENCY MEAN = 1.5, EXTERNAL MEAN = 1.3



PWG1 1.6: Timescale AGENCY MEAN = 1.3, EXTERNAL MEAN = 1.5



Stakeholder comments

Fly tipping was seen as an “incongruous” issue within a set of strategic policy recommendations. However, most agreed that action on fly tipping is politically important. Some argued that it will become more so as waste management becomes more expensive. One stakeholder argued that “fly tipping needs to be tackled as part of the “liveability” agenda and Neighbourhood Renewal”.

Overall, it was argued that what is considered a short-medium term amenity issue can be more effectively tackled through existing mechanisms – such as more rigorous interpretation of the Duty of Care obligations. Other suggestions included “allowing the impounding of operator assets”, stimulating the market for recycled goods, and raising public awareness about alternative options such as local authority collection schemes.

Stakeholders are ambivalent about the use of an environmental crime intelligence network, but nonetheless feel that more data is required about the geographical occurrence, frequency and perpetrators of fly-tipping, the materials dumped and the costs of management.

There was some support for greater fines and use of magistrates’ powers. It was felt this would provide the necessary deterrent, although one stakeholder commented that action on fly tipping should be driven by environmental protection concerns rather than a desire for revenue raising.

THEME 2: COMMUNITY ENGAGEMENT AND CULTURE

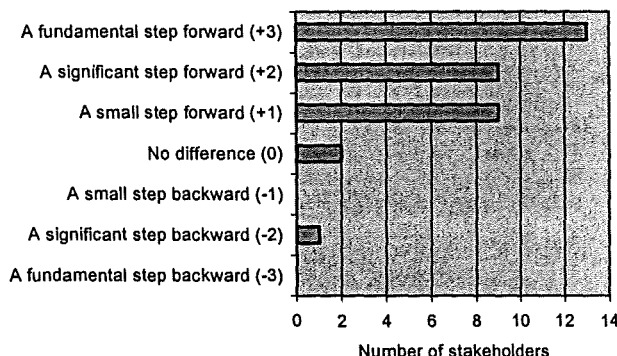
Stakeholder policy recommendation 2.1 Take a participatory approach to waste decision making

Local and regional waste strategies need to link effectively with the planning system. Sustainable waste management needs to start with people, rather than be imposed upon them.

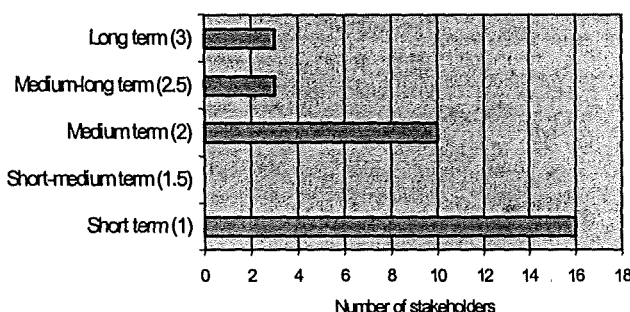
BPEO is a "consultative decision-making process" and this must be adhered to. Government should issue clear advice to local authorities on the role of computer models in determining the BPEO and the need to accompany their use with comprehensive public information and involvement. There is a need for broad stakeholder participation at an early stage, linked to a structured framework for waste planning authorities that takes into account wider environmental and social factors.

The framework should allow the "environmental equality" implications of different waste management options (e.g. for the distribution of risk, the distribution of work, overall employment, public engagement, and biodiversity) to be addressed. The framework should also be outlined in any updates to the Waste Strategy and associated Regulatory Impact Assessment.

PWG1 2.1: How much difference would it make?
AGENCY MEAN = 2.2, EXTERNAL MEAN = 1.7



PWG1 2.1: Timescale
AGENCY MEAN = 1.5, EXTERNAL MEAN = 1.8



Stakeholder comments

There is broad support for involving people in the waste management decision-making process at a national, regional and local level. This recommendation is thought to represent a significant step forward in changing behaviour and attitudes to waste, if put in the right context of Government guidance, incentives and public education.

However, some concerns were raised about the effectiveness of existing frameworks for public consultation and involvement, particularly with regard to the use of BPEO and "computer models such as WISARD". As one stakeholder put it: "Findings from computer models (i.e. WISARD) should be set alongside other considerations. Information needs to be presented in context. We need to properly equip people to make judgements... but BPEO is often not used as a consultative process".

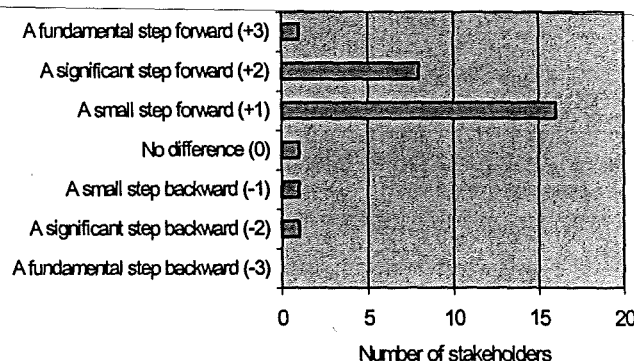
A minority commented that participatory approaches tend to impede efficiency, and can fail to deliver outputs whilst generating "more adverse reactions". Such minority stakeholders advocated further research to evaluate the relative effectiveness of participatory techniques. Other stakeholders commented that much effective research has already been carried out, quoting for example work by Professor Judith Petts.

Stakeholder policy recommendation 2.2 Broaden membership of Regional Technical Advisory Boards (RTABs)

The regionalisation of waste management decisions should not result in the loss of community ownership of such decisions. RTABs must not be seen as trying to impose their expert view upon local people.

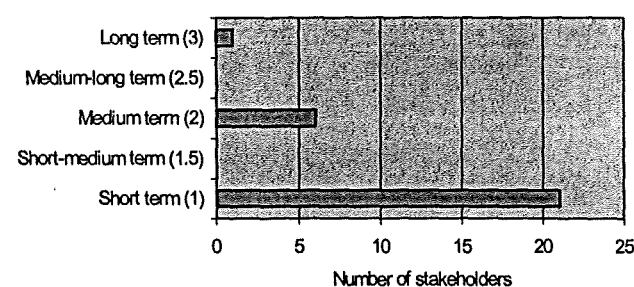
To assist this, Government should encourage RTABs to be seen as part of Regional Chambers and to broaden their membership to include local community stakeholders, as is already happening in some areas.

PWG1 2.2: How much difference would it make?
AGENCY MEAN = 1.2, EXTERNAL MEAN = 1.0



PWG1 2.2: Timescale

AGENCY MEAN = 1.3, EXTERNAL MEAN = 1.3



Stakeholder comments

Broadening the membership of Regional Technical Advisory Boards (RTABs) – whilst attainable in the short term – was considered by the majority of stakeholders to only represent a small step forward towards resource productivity and sustainable waste management.

However, there is broad support for stakeholder involvement in regional waste management – some stakeholders even argued that it should be made statutory. However, others questioned the effectiveness of broadening membership of the RTABs, which are essentially technical bodies. One stakeholder commented: “nobody takes the RTABs seriously – they are treated with scepticism”.

It was suggested that a better way forward might be for RTABs to adopt a more consultative approach in defining their assessments and approaching planning options. It was emphasised that local communities should be consulted throughout RTAB decision-making.

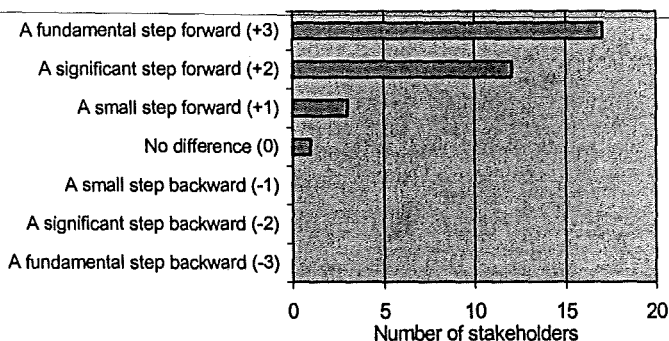
Stakeholder policy recommendation 2.3 Promote kerbside collection of household waste

The kerbside collection of source-separated waste is a necessity if we are to place resource productivity centre stage in waste management.

The Best Value regime should be used to increase the proportion of households covered by kerbside collections. A prerequisite of an authority being awarded Beacon Council Status should be that at least 50% of its households be covered by kerbside collections, together with a set density of bring facilities.

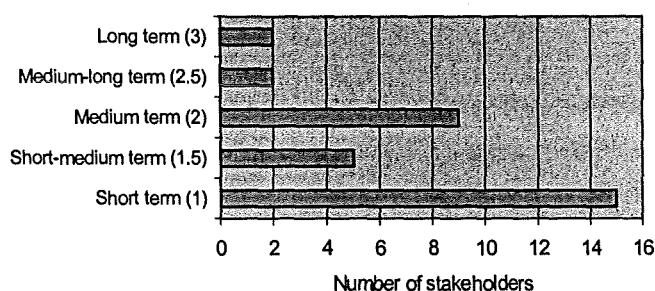
Examples of good practice: Daventry District Council. High density bring-facilities as in Netherlands and Germany.

PWG1 2.3: How much difference would it make?
AGENCY MEAN = 2.5, EXTERNAL MEAN = 2.3



PWG1 2.3: Timescale

AGENCY MEAN = 1.3, EXTERNAL MEAN = 1.8



Stakeholder comments

Kerbside collections of household waste were seen as fundamental to both obtaining separated materials for recycling, and also as a “front line approach” for engaging local communities and householders in waste issues.

Views differed on the value of awarding Beacon Council Status to local authorities with 50% of households covered by kerbside collections. Some insisted that only those authorities with 100% coverage should be awarded, while others regarded this element of the recommendation as a “red herring”.

A minority questioned the assumption that recycling is the best option and called for cost benefit analyses (CBA) and local BPEO processes to assess the practicalities and suitability of waste management options.

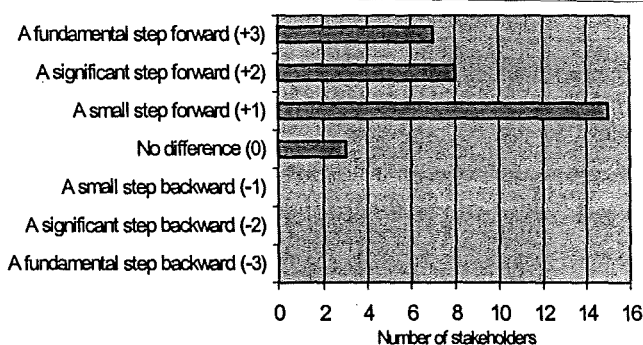
Overall, stakeholders generally supported the widespread promotion and “enforcement” of kerbside collection schemes. However, it was argued that – to ensure widespread public participation in kerbside recycling – there should also be education programmes and appropriate incentives (e.g. variable charging). As one stakeholder emphasised: “It’s not just about changing “hearts and minds”. We need the right set of incentives”.

Stakeholder policy recommendation 2.4 Improve access to data

In the US, an overarching right of access to information on industrial emissions has acted as an incentive for cleaner production and waste minimisation. Government should consider the value of introducing similar legislation in the UK.

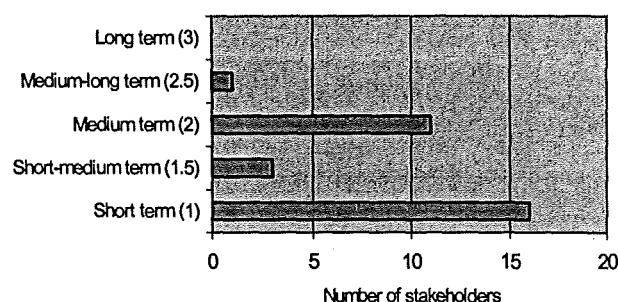
Examples of good practice: Community Right to Know Act, US

PWG1 2.4: How much difference would it make?
AGENCY MEAN = 1.5, EXTERNAL MEAN = 1.6



PWG1 2.4: Timescale

AGENCY MEAN = 1.3, EXTERNAL MEAN = 1.6



Stakeholder comments

Stakeholders broadly agreed on the principle of improving access to data and information, albeit with certain reservations. One stakeholder commented: "This may be a long term option due to legislative process. Voluntary agreements may be a more short term option, but may not be as comprehensive". Another called for this option to be seen within the context of the need for "a national database of resource flows".

Around half of those interviewed felt that there was already reasonably good access to data on industrial emissions in the UK through the Environment Agency's Toxic Release Inventory, and that the Government is already committed to the improved access to information. It was suggested that the recommendation should also encompass access to not only emissions data, but also wider environmental information. For example, it was felt that the Agency's Pollution Inventory should be extended to include non-IPPC processes.

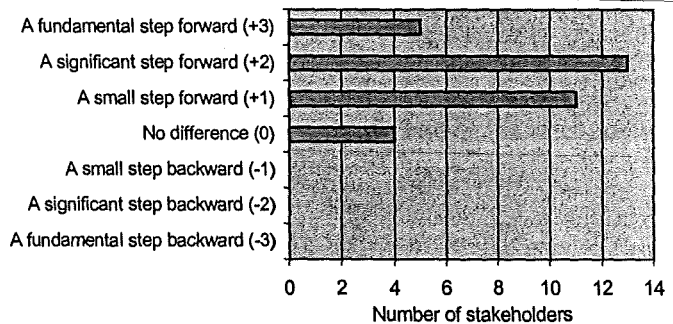
Overall, stakeholders felt that accessibility was only one part of the jigsaw. Improved presentation of existing data and provision of contextual information were seen as more important in terms of raising awareness, encouraging participation and building public trust.

Stakeholder policy recommendation 2.5 Ensure a transparent process for incinerator monitoring

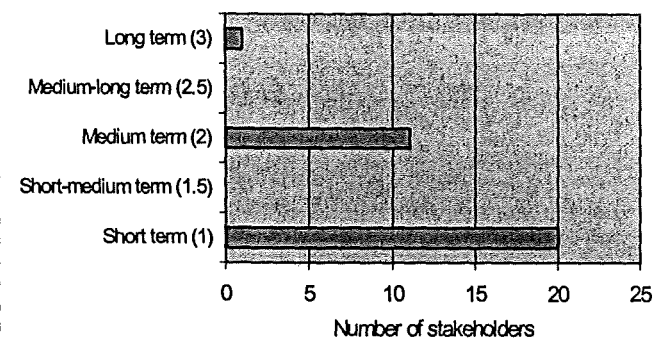
Continuous monitoring of emissions from MSW incinerators, properly resourced, so that the monitoring information can be made publicly available, with a civil society check on the process of monitoring (e.g. to assist arbitration cases, random samples could be sent to agreed independent laboratories). This will help to build public trust in the role of incineration.

Examples of good practice: Incinerator in Vienna, where the results of continuous emissions monitoring are displayed on the street, side by side with the regulatory limits.

PWG1 2.5: How much difference would it make?
AGENCY MEAN = 1.8, EXTERNAL MEAN = 1.5



PWG1 2.5: Timescale
AGENCY MEAN = 1.5, EXTERNAL MEAN = 1.4



Stakeholder comments

The environmental impacts of all waste management facilities, and indeed – all industrial processes – should be continuously monitored as part of a transparent process. Overall, the recommendation was seen as a significant step forward in terms of sustainable waste management.

Many stakeholders pointed out that there is “no risk free waste management option”, and that the recommendation should not single out monitoring of incinerators. One stakeholder asserted that: “We need to bring monitoring of other waste facilities in line with the standards of incinerator monitoring”. However, other stakeholders emphasised that “we need to tackle perceived fears more than risks” and that “incinerators risk turning into a “GMO-style” issue, where people just don’t want them because of the way the issue has been dealt with, rather than as a result of the actual environmental impacts”.

Greater transparency is evidently in line with earlier recommendations calling for a participatory approach to waste decision making and improved access to data, although some questioned the benefit of transparency. As one stakeholder put it: “It’s all about building public trust. In order to build trust, we need no accidents for 20 years. The process of transparency isn’t enough”.

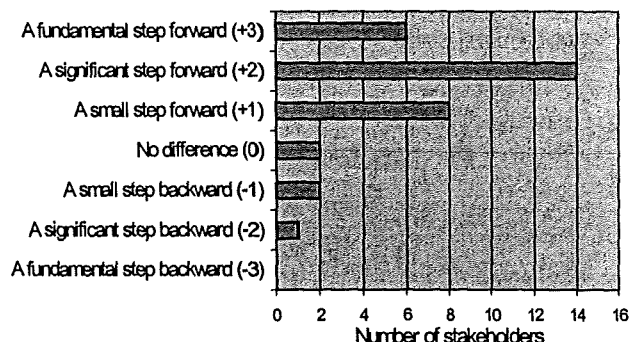
Stakeholder policy recommendation 2.6
Engage in public debate on health risks from waste management facilities

The Environment Agency should work with the Department of Health to produce an information pack on the health risks associated with waste management facilities.

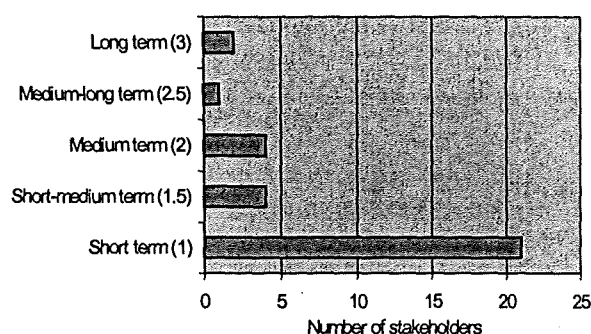
This should link with work on the social amplification of risk, and should be complemented by research focussed on addressing the non-technical aspects of risk.

The costs or charges made for this information should be low enough to ensure that there is no impediment to full public debate.

PWG1 2.6: How much difference would it make?
 AGENCY MEAN = 1.5, EXTERNAL MEAN = 1.6



PWG1 2.6: Timescale
 AGENCY MEAN = 1.3, EXTERNAL MEAN = 1.4



Stakeholder comments

A partnership between the Environment Agency, the Department of Health *and* other stakeholder groups was welcomed by the policy working group participants. Suggested partners include DEFRA with "a stakeholder board involving civil society to sponsor the information pack". A few stakeholders warned of the need to recognise the Agency's locus and lack of technical health expertise to avoid raising unrealistic public expectations.

The health risks and social amplification of those risks associated with waste management facilities were felt to be critical in affecting public perceptions. Stakeholders highlighted the need for the Agency to communicate not only risks, but also uncertainties – as this "is what turns it into a social / protest issue". In particular, the value of comparative information about risks in terms of keeping things in perspective was stressed, as was the need for risks to be put in context of local factors (e.g. background pollution levels).

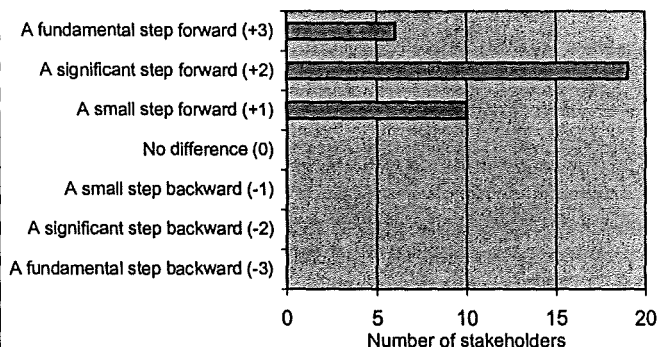
THEME 3: ROLE OF ENERGY FROM WASTE

Stakeholder policy recommendation 3.1 Pre-separate valuable and potentially hazardous materials from incineration

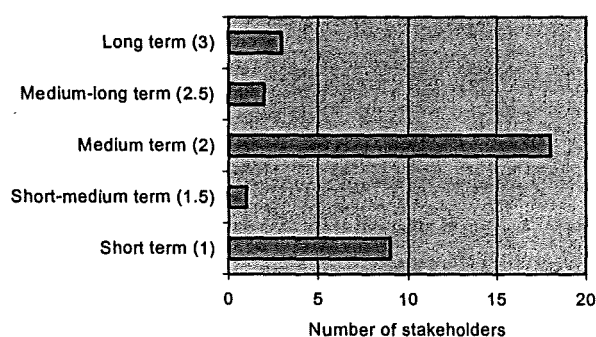
The lack of pre-separation of potentially hazardous materials, such as PVC, treated wood and batteries, increases the risk of emission limit values being exceeded during incineration. Moreover, incineration of valuable materials is a waste of resources. Government and the Agency should consider how to:

- ensure that incineration is used only for sorted waste from which valuable and potentially hazardous materials have been reclaimed
- promote specialist incinerators, where emission controls can be tighter and more reliable because of a single source of material (e.g. specialist incinerators taking recycled paper residues and meeting demand for heat recovery from co-located recycled paper mills).

PWG1 3.1: How much difference would it make?
AGENCY MEAN = 1.8, EXTERNAL MEAN = 1.9



PWG1 3.1: Timescale
AGENCY MEAN = 1.8, EXTERNAL MEAN = 1.9



Stakeholder comments

Pre-separating valuable and potentially hazardous waste materials from incineration was considered a significant step forward towards resource productivity and wider sustainable waste management.

Stakeholders argued that incineration should only be used for residual waste that is “non-recyclable and non-compostable” as well as “valuable and non-hazardous”. In this sense, some perceive the Environment Agency as having an important role in evaluating what is hazardous waste and “the priorities for taking these materials out of the waste stream”. Alternative suggestions for separating materials from incineration include setting limits on the percentage of waste streams sent for incineration and introducing substance bans to remove valuable and non-hazardous waste from the waste streams altogether.

The “*promotion* of specialist incinerators” is strongly debated, with many stakeholders highlighting that incinerators *are not*, and *should not* be promoted, and that “incinerators should not be seen as depositories for waste too difficult to separate”.

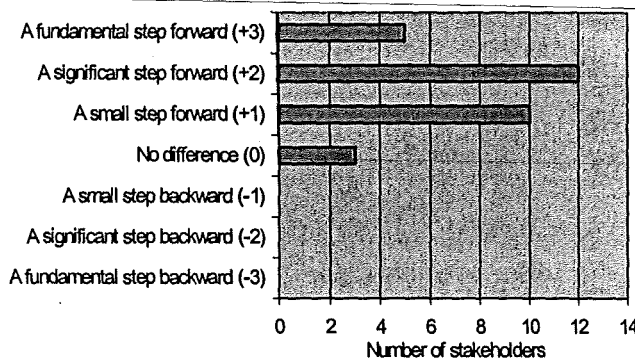
Stakeholder policy recommendation 3.2 Signal that small incinerators are preferred

Waste Strategy 2000 states: "Energy recovery plant should be appropriately sized to avoid competition with recycling".

In line with this and demand for waste reduction and re-use, Government and the Agency should offer a clear signal that the building of incinerators above a capacity of 100,000 tonnes per annum is unlikely to be approved.

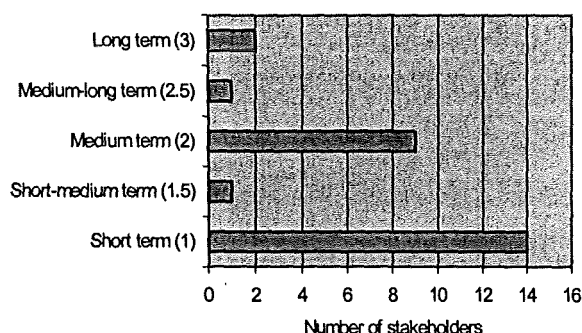
The flexibility and wider benefits (not least the reduced risk of 'crowding out' waste reduction and recycling) to be derived through sequencing the development of a series of small incinerators over a 25-30 year time scale must be recognised.

PWG1 3.2: How much difference would it make?
AGENCY MEAN = 2.0, EXTERNAL MEAN = 1.4



PWG1 3.2: Timescale

AGENCY MEAN = 1.2 EXTERNAL MEAN = 1.9



Stakeholder comments

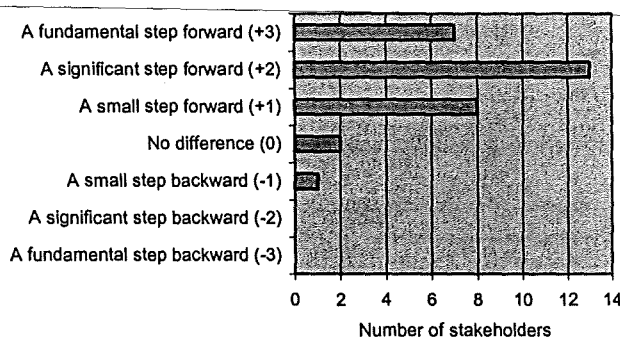
Prescriptive levels for the size of incinerators gained little support from stakeholders, despite the principle of signalling a preference for small incinerators being heralded as a significant step forward. One stakeholder suggested that: "smaller incinerators may enable more community ownership – but capacity probably needs to go well below 100,000 tonnes / year to have real impact". Others focused on the environmental dimension: "the total environmental impact of two small incinerators may be greater than that of one large one".

Stakeholders largely agreed that where waste prevention, re-use and recycling does not represent the BPEO, incinerators should be appropriately sized according to local circumstance. It was argued that incinerator capacity should be driven by the volume of non-hazardous residual waste, economics and the planning system.

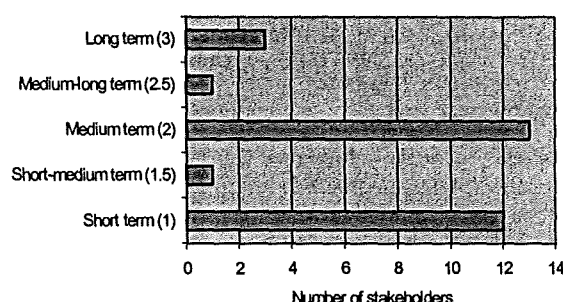
Stakeholder policy recommendation 3.3 Site incinerators to meet local industrial demand for CHP

Incinerators should be sited to take advantage of suitable local demand for the steam and electricity produced. This is likely to be from the industrial rather than domestic sector, since demand in this sector is more constant.

PWG1 3.3: How much difference would it make? AGENCY MEAN = 1.7, EXTERNAL MEAN = 1.7



PWG1 3.3: Timescale AGENCY MEAN = 1.5, EXTERNAL MEAN = 2.0



Stakeholder comments

Generating Combined Heat and Power (CHP) is regarded as a positive outcome of incinerators. Research in other EU countries has shown that the heat produced by incinerators can provide more energy (55-72%) than electricity (18-35%). Some stakeholders argued that incinerators generating CHP should meet domestic as well as industrial demand.

In relation to the planning system, stakeholders highlighted the need to address the potential risks and fears of local communities, paying particular attention to those socially deprived areas near which industry and future incinerators could be located. The siting of incinerators should also consider the current lack of CHP infrastructure and the need to be associated with new housing or industrial developments in order to fully take advantage of CHP production.

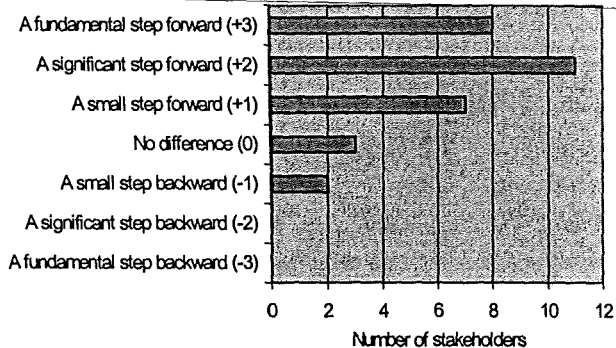
Although a significant step forward, the likely legislative changes required to the planning system may only be brought about in the medium term.

Stakeholder policy recommendation 3.4 Do not classify energy from waste as renewable

A signal must not be sent to the public and business that it is acceptable to continue producing waste because 'renewable' energy is generated from it. Since much of mixed MSW (e.g. the plastic component) is derived from fossil fuels, energy from waste is not a renewable energy source. In line with this,

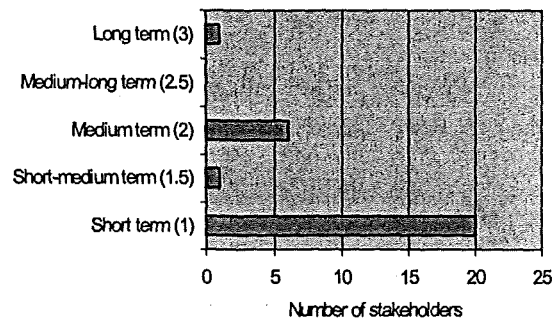
- the exclusion of energy from waste incineration from the Renewable Energy Obligation proposals should be maintained
- energy from waste incineration should be excluded from counting towards the target for 10% of electricity required from renewable sources
- the exemption of energy from waste incineration and landfill from the Climate Change Levy should be withdrawn, to be consistent with the Renewables Obligation

PWG1 3.4: How much difference would it make?
AGENCY MEAN = 1.7, EXTERNAL MEAN = 1.5



PWG1 3.4: Timescale

AGENCY MEAN = 1.3, EXTERNAL MEAN = 1.4



Stakeholder comments

Almost all stakeholders agreed that energy generated from waste incineration should not be classified as renewable and should therefore be excluded from the Renewables Obligation. This policy change was seen as constituting a significant step forward in contributing to resource productivity and sustainable waste management, and could be implemented in the short term.

A few stakeholders disagreed. Comments included: "Given the large volume of waste produced, we will not leap to recycling overnight. This is a dangerous route to go down", and "I agree with the exemption, because at least you're getting some positive value from waste".

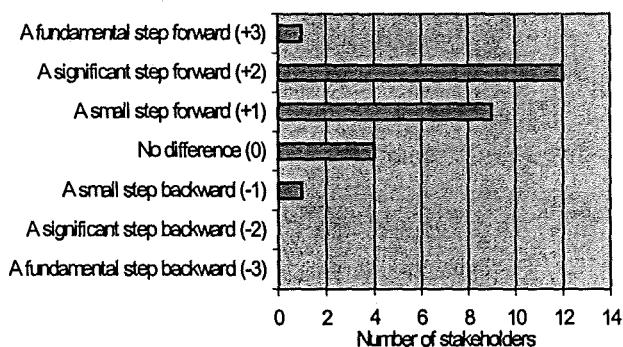
Overall, it was argued that classifying energy from waste as renewable encourages "the assumption that you will continue to generate large quantities of waste". Similarly, the recommendation to remove the exemption of methane from landfill sites from the Climate Change Levy received general support, as current policy was seen as effectively subsidising the "last resort" option in the waste hierarchy. Fundamentally, as one stakeholder expressed it, there is a need to put energy from waste "back in the context of the waste hierarchy". Another stakeholder called also for an "energy hierarchy" to inform decision-making.

Stakeholder policy recommendation 3.5
Reduce the number of landfill sites taking biodegradable wastes

Waste Strategy 2000 will result in either a reduction in the number of sites able to recover energy economically from landfill gas, or a substantial reduction in the number of landfill sites taking biodegradable wastes.

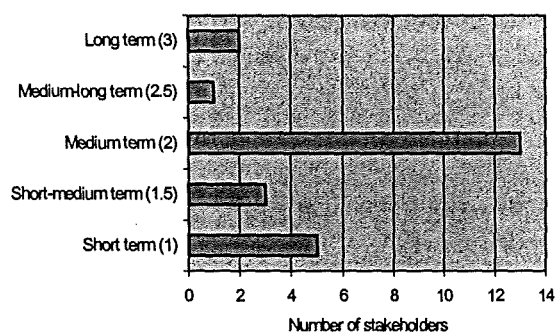
The latter option is generally preferable in order to facilitate the recovery and use of landfill gases, although a balance must be struck in line with the proximity principle.

PWG1 3.5: How much difference would it make?
 AGENCY MEAN = 1.3, EXTERNAL MEAN = 1.2



PWG1 3.5: Timescale

AGENCY MEAN = 1.8, EXTERNAL MEAN = 1.9



Stakeholder comments

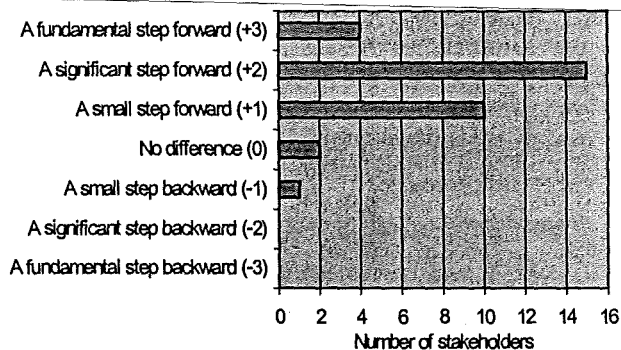
There was strong support for a substantial reduction in landfill sites taking biodegradable waste in order to maximise the recovery and use of landfill gases. The recommendation was regarded as "an important step that needs to be taken forward in conjunction with developing alternative waste treatment options".

Many stakeholders believed that this "will happen naturally" as a consequence of market forces, geological conditions and implementation of the Landfill Directive. It was also pointed out that this policy change would only impact on new landfill sites and that there would still be a need to monitor bio-degradable waste at existing sites.

Stakeholder policy recommendation 3.6 Increase R&D into new technologies

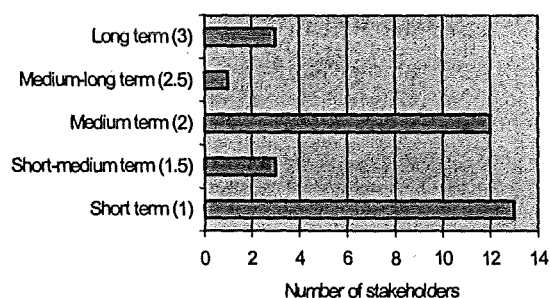
Additional R&D pilot schemes for new techniques such as pyrolysis, gasification and anaerobic digestion should be established, in order that the environmental performance of the different techniques may be assessed in comparative perspective.

PWG1 3.6: How much difference would it make? AGENCY MEAN = 1.1, EXTERNAL MEAN = 1.9



PWG1 3.6: Timescale

AGENCY MEAN = 1.6, EXTERNAL MEAN = 1.7



Stakeholder comments

Additional research and development pilot schemes for new techniques such as pyrolysis, gasification and anaerobic digestion to rival incineration was welcomed by most stakeholders and considered a significant step forward. This will help bring the UK in line with other European countries in supporting these practical waste management options.

It is further proposed that research should either be integrated with existing research or inform the priorities of existing research. Any pilot schemes should be "sensitively sited" and should take a "holistic and mass balance approach" in assessing the environmental and financial performance of developing different techniques.

However, some stakeholders warned of regarding "pyrolysis and gasification as the panacea" and called for a fundamental look at the desired strategic outcomes: "a technological or systems-based waste strategy?"

POLICY WORKING GROUP 2: ECONOMIC INSTRUMENTS AND INCENTIVES FOR WASTE REDUCTION, RE-USE AND RECYCLING

Waste disposal is too cheap and there are insufficient incentives for waste reduction, re-use and recycling. Most stakeholders broadly supported realigning incentives with the waste hierarchy, for example through increased landfill tax and wider reform of the landfill tax regime. In particular, there was strong support for reforming the landfill tax into a waste disposal tax, with graduated charges according to the environmental costs of the disposal method.

More generally, stakeholders called for a review of the whole spectrum of fiscal instruments impacting on waste management, in line with an outcomes based approach towards resource productivity and sustainable waste management. Existing instruments, such as the Climate Change Levy and Private Finance Initiatives were seen to undermine the waste hierarchy by favouring incineration and landfill over recycling. In particular, the recommendation to remove the exemption of energy from waste incineration and landfill from the Climate Change Levy (CCL) was seen as offering a significant step forward.

There was strong support for variable charging, which was seen as a significant or even fundamental step forward in terms of stimulating behaviour change. Moreover, there was general agreement that legislation to allow local authorities to pilot variable charging is a possibility in the short term.

The principle of stimulating the market for eco-designed products received widespread support, with stakeholders saying that such policy change would generally constitute a significant to fundamental step forward. However, in terms of the specific ideas relating to this principle, opinion was divided. In particular, there was concern about the lack of agreement over what constitutes an eco-designed product, in context of potential economic instruments / incentives.

More public sector leadership on green procurement was also considered a short term priority, with many stakeholders emphasising the potential positive impact on the demand for recycled and eco-designed products.

POLICY WORKING GROUP 2: ECONOMIC INSTRUMENTS AND INCENTIVES FOR WASTE REDUCTION, RE-USE AND RECYCLING

THEME 1: REALIGNING INCENTIVES WITH THE WASTE HIERARCHY

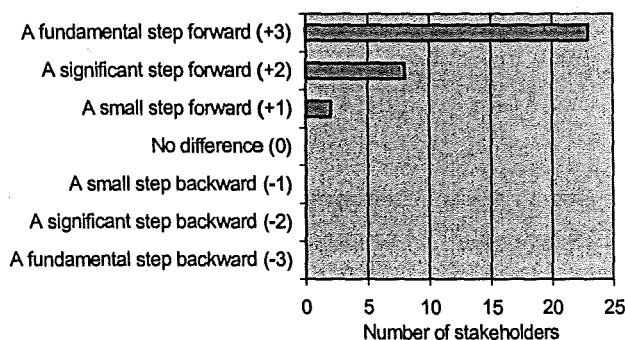
Stakeholder policy recommendation 1.1 Develop economic incentives in the context of an environmental strategy

The Government's approach to greening business using economic instruments in general, and fiscal policy in particular, is still piecemeal and is not governed by an overall strategy. The Government's 1997 statement of intent on environmental taxation remains largely a filter to judge individual proposals, and has not been used to develop a programme to seek out and introduce new measures. Business needs such a programme in order to have a clear idea of what is coming and to be able to plan accordingly.

In the context of resource productivity, Government should take a considered and holistic look at the fiscal regime for waste management. This should, in particular, consider what instruments will be required to achieve the necessary long-term transformation of waste management up the waste hierarchy. Without a consistent and coherent set of fiscal instruments in this area, we risk shifting waste from one technique to another without reference to any overall strategy.

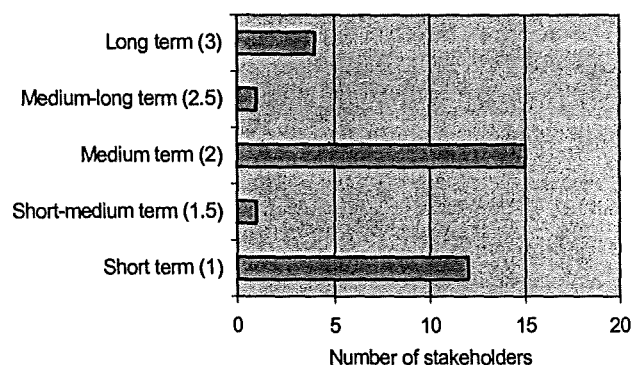
PWG2 1.1: How much difference would it make?

AGENCY MEAN = 2.9, EXTERNAL MEAN = 2.5



PWG2 1.1: Timescale

AGENCY MEAN = 2.0, EXTERNAL MEAN = 1.6



Stakeholder comments

There was overwhelming support for joining up economic incentives in line with an environmental strategy, and this recommendation was seen by some as "the most fundamental" that can be applied in the short to medium term.

Economic instruments were seen as "helping focus the mind" and necessary to raise revenue to support new infrastructure and deliver practical financial help to local authorities implementing challenging new waste strategies.

There is considerable optimism in bringing about fundamental change to Government strategy, based on the forthcoming project into the economic and legislative framework by Cabinet Office PIU. The National Resource and Waste Forum are also due shortly to produce a report on the economic and legislative framework, focusing on recycling. However, some stakeholders were sceptical about Treasury support for realigning economic incentives with the waste hierarchy.

Stakeholder policy recommendation 1.2 Reform landfill tax into a waste disposal tax

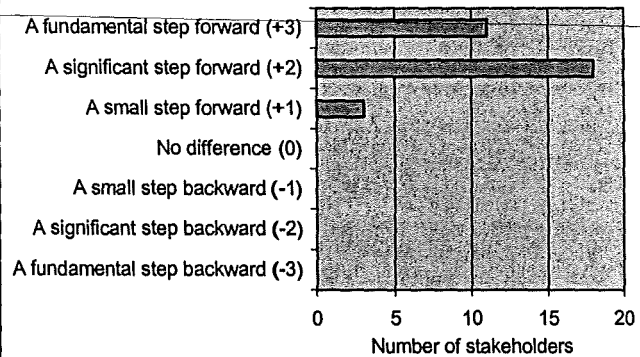
Government, in the context of its resource productivity and sustainability aims, should adjust the landfill tax to provide a strong incentive to move away from a landfill-based system of waste disposal and towards greater waste reduction, re-use and recycling. The following are recommended:

- Converting the landfill tax into a waste disposal tax, with graduated charges according to the environmental costs of the disposal method. Denmark has introduced such a tax, as have Italy and the Flemish region of Belgium
- Grading the UK disposal tax according to the degree of source separation and type of waste for disposal, with energy recovery introducing further secondary gradations. The lowest rates would be for landfilling inert waste and incinerating separated non-toxic streams with CHP recovery. Existing incinerators should be exempted if they convert to source separation
- Increasing the tax for landfilling of mixed waste to at least £25 per tonne over the next 5 years

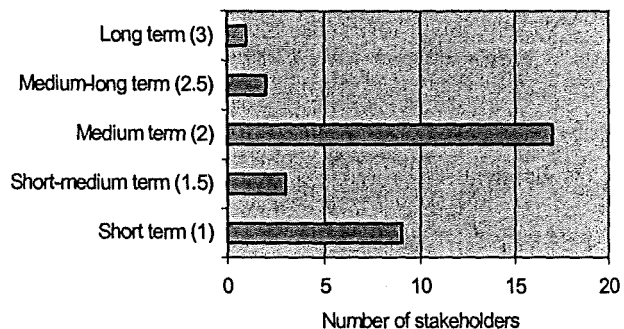
Publishing a longer term statement of intent on the tax, providing clear indications of changes in the tax over time, to allow local authorities and waste disposal authorities some clarity when determining long term waste plans for their regions.

Examples of good practice: Graduated disposal taxes introduced in Denmark, Italy and Flemish region of Belgium

PWG2 1.2: How much difference would it make?
AGENCY MEAN = 2.2, EXTERNAL MEAN = 2.2



PWG2 1.2: Timescale
AGENCY MEAN = 1.8, EXTERNAL MEAN = 1.7



Stakeholder comments

There was broad support for a waste disposal tax – to “internalise externalities” and incorporate all disposal and environmental impacts of the disposal method. Most stakeholders agreed that the current cost of waste disposal and Landfill Tax do not provide sufficient incentives to reduce, re-use and recycle waste. Indeed, some recommended that the tax for landfilling waste should be increased to £35 or £40 over the next 5 years. According to research flagged up by one stakeholder, “81.9% of the waste management industry support an increase of the [Landfill Tax], most of these to at least £25 per tonne”¹⁵.

However, some saw no need for a review until 2004 of what they regarded as an already over-complicated system. Others argued that this recommendation does not go far enough in proposing a waste disposal tax. As one stakeholder, calling for a wider waste tax, put it: “Waste itself has a cost attached to it – and not just the disposal costs”.

On the issue of graduated charges, some stakeholders argued that these should be set according to the degree of source separation, with the lowest rate for the disposal of non-recyclable, non-compostable and non-hazardous waste, rather than inert waste. The potential impact on business – particularly SMEs – should be minimised, and there should be transparency over how the revenue is invested in alternative waste management options.

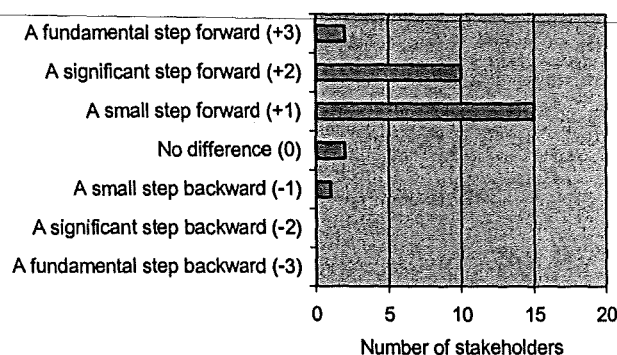
¹⁵ Materials Recycling Week (8 September 2000)

Stakeholder policy recommendation 1.3 Reform Landfill Tax Credit Scheme governance

The Landfill Tax Credit Scheme needs to be reformed in the context of resource productivity and sustainability. Under a reformed scheme:

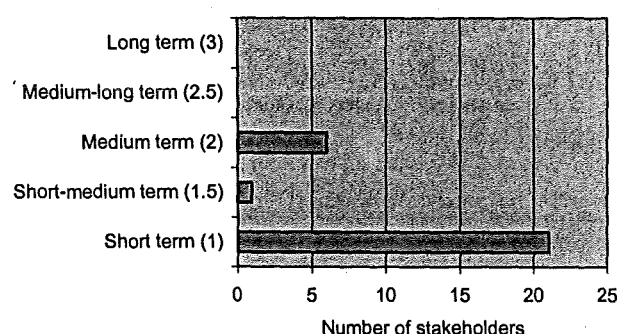
- responsibility for allocating offset funds should be transferred to an independent agency. Landfill companies should no longer have discretion over whether to make the offsets but be required to pay these sums to the independent agency
- any revenue raised above the existing level of offset to National Insurance contributions should be allocated to the independent agency.

PWG2 1.3: How much difference would it make? AGENCY MEAN = 1.3, EXTERNAL MEAN = 1.3



PWG2 1.3: Timescale

AGENCY MEAN = 1.2, EXTERNAL MEAN = 1.3



Stakeholder comments

To some stakeholders, reputation and governance issues were key. Comments varied from: "It is important that these funds are diverted and are seen to be diverted to the right areas for two reasons – not wasting resources, and not damaging the credibility of the scheme" to "the Landfill Tax Credit Scheme should be scrapped and instead the revenue from the landfill tax should be directed as public spending towards waste minimisation, re-use and recycling / composting" to

Overall, the proposal to transfer responsibility for allocating funds to an independent agency gained mixed support, with some suggesting that this would worsen the level of bureaucracy and administrative costs. One stakeholder described the proposal as simply "unrealistic".

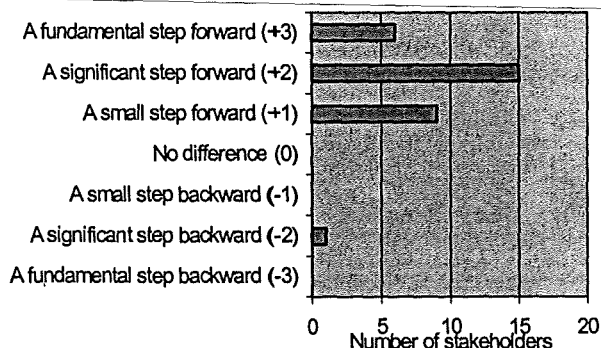
It was also suggested that a "Green Tax Commission should be formed as an umbrella body to provide transparency and strategic direction for the movement of all nationally raised eco-taxation operating in conjunction with the Landfill Tax Credit Scheme Board".

Stakeholder policy recommendation 1.4 Reform Landfill Tax Credit Scheme priorities

The landfill tax credits scheme should be reformed so that it focuses on waste reduction, re-use and recycling / composting:

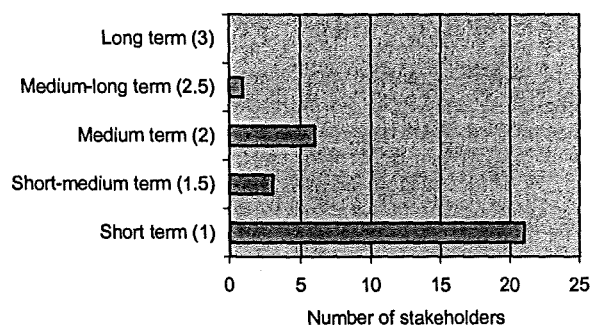
- community schemes and general environmental projects (categories D and E) should be restricted to a smaller portion of the credits than they receive at present, and all additional credits raised by the reformed waste disposal tax should be put directly towards waste minimisation, re-use and recycling / composting.
- There should be a fund which takes a given percentage of the revenues from the landfill / waste disposal tax and is bid for by those wishing to undertake work. There should be no bar on those wishing to apply for funding and the eligibility of local authorities should be related to their ambition and performance in meeting targets for improving recycling and composting. The fund should be seen, for example, as a way of covering the transitional costs of setting up a kerbside recycling scheme.
- A portion of the revenue should be recycled back to local authorities in proportion to the amount recycled and composted (so there is a dynamic incentive to encourage such activity).

PWG2 1.4: How much difference would it make? AGENCY MEAN = 1.9, EXTERNAL MEAN = 1.6



PWG2 1.4: Timescale

AGENCY MEAN = 1.3, EXTERNAL MEAN = 1.3



Stakeholder comments

Most stakeholders felt that the Landfill Tax Credit Scheme [LTCS] "is not achieving its potential impact at the moment". Considered a significant step forward, many broadly supported reform of LTCS priorities in the short term to reflect the waste hierarchy.

However, some people were concerned about the loss of funding incurred to community schemes and general environmental projects: "it would be a shame if the rug was taken from under [their] feet", said one stakeholder.

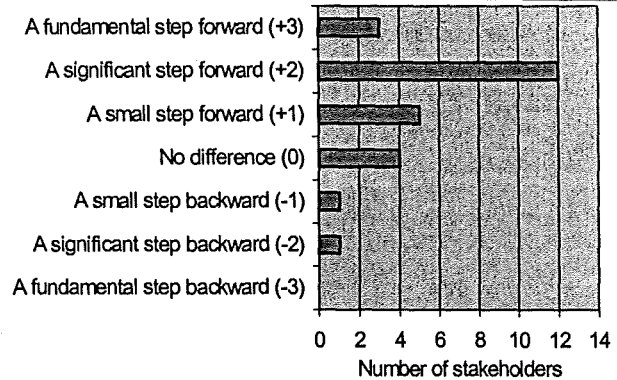
Stakeholder policy recommendation 1.5
Ensure that PFI funding does not undermine the waste hierarchy

The PFI scheme for waste effectively awards additional credits to cover the capital costs of treatment facilities.

In the face of limited budgets, it stands to reason that local authorities would seek to minimise the non-capital element of their waste management budget when seeking PFI approval. This effectively skews waste management decisions towards capital intensive solutions, in particular, incineration.

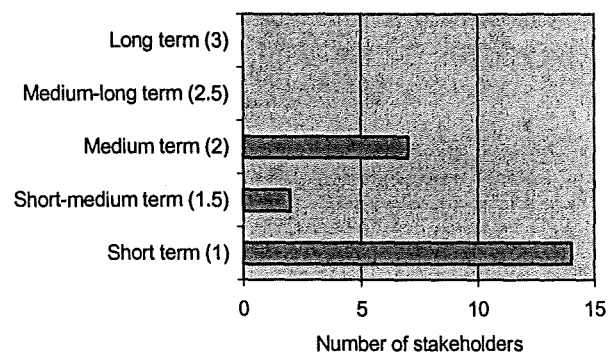
In recognition of this, alternative funding mechanisms should be used to give additional support to waste reduction, re-use, and recycling / composting – otherwise PFI will continue to undermine the waste hierarchy.

PWG2 1.5: How much difference would it make?
 AGENCY MEAN = 1.0, EXTERNAL MEAN = 1.7



PWG2 1.5: Timescale

AGENCY MEAN = 1.4, EXTERNAL MEAN = 1.4



Stakeholder comments

Most stakeholders consider this recommendation “has the finger on the problem” and represents a significant step forward in supporting resource productivity and sustainable waste management. There was considerable agreement that PFI funding may be distorting the market by skewing waste management decision making towards capital intensive solutions, in particular incineration. However, as one stakeholder emphasised, “recognition should be given to the revised criteria for waste projects, announced in September 2000. These include making recycling and composting key to PFI applications and stressing the importance of incineration proposals which include CHP”.

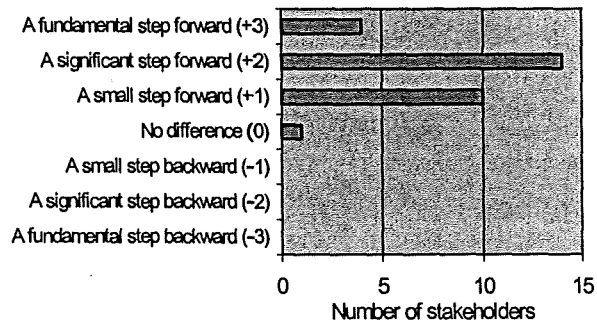
Some stakeholders suggested that “strategic targets for recycling and composting” and the use of “alternative funding mechanisms” could counterbalance PFI distortion. Overall, there is evidently a need to further understand the role of PFI and other fiscal instruments and join-up thinking on economic incentives in waste management.

Stakeholder policy recommendation 1.6
Ensure the Climate Change Levy does not undermine the waste hierarchy

The Climate Change Levy (CCL) should not undermine the waste hierarchy.

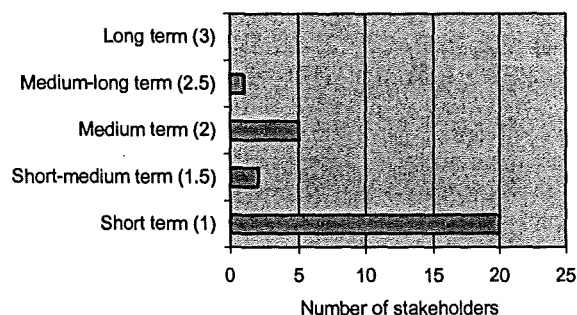
This requires removing the CCL exemption of energy from waste incineration and landfill. Currently, the levy turns the hierarchy on its head – secondary materials reprocessing of all materials are subject to the levy, whereas 'linear' waste management options such as landfill and incineration are exempt.

PWG2 1.6: How much difference would it make?
 AGENCY MEAN = 1.7, EXTERNAL MEAN = 1.7



PWG2 1.6: Timescale

AGENCY MEAN = 1.4, EXTERNAL MEAN = 1.3



Stakeholder comments

Removing the exemption of energy from waste incineration and landfill from the Climate Change Levy (CCL) would be a significant step forward. The majority of people interviewed agreed that the current exemption contradicts the waste hierarchy and moreover, that this could be reformed in the short term. "Clarity on the Government's position on incineration" was called for to ensure that the misconception about energy from waste being renewable is addressed.

However, some disagreed, with one stakeholder arguing that "the Climate Change Levy should be used to solve climate change problems and should not be fine-tuned to deal with other environmental issues".

There remains a need to review the whole spectrum of economic incentives in line with the waste hierarchy and an outcome based approach. Any change should be moderated by a process of consultation, particularly with those businesses affected by the Levy.

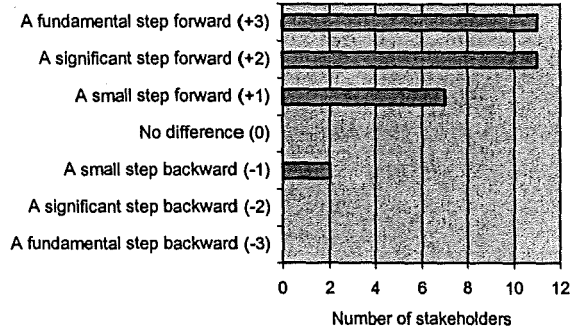
Stakeholder policy recommendation 1.7 Allow local authorities to pilot variable charging schemes

Allow local authorities to pilot, in partnership with local stakeholders, variable charging schemes for domestic waste – this will increase the potential for municipal waste reduction, re-use and recycling.

This was a key conclusion of the DETR research study on international recycling experience (published April 2001), which commented: "Volume-based charges can be effective in reducing waste volumes. It is not so much the level of the charge as the design of the charge that influences the level of household participation in recycling schemes.

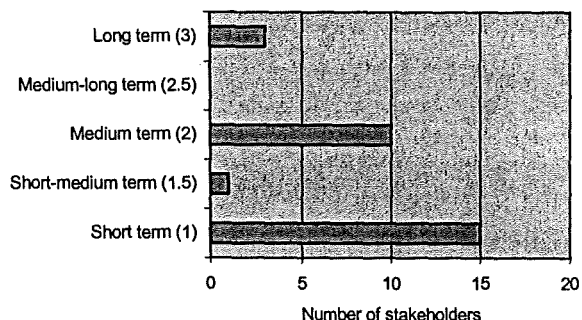
Variable charging is effective because it allows households to influence the level of waste management charges."

PWG2 1.7: How much difference would it make?
AGENCY MEAN = 2.1, EXTERNAL MEAN = 1.8



PWG2 1.7: Timescale

AGENCY MEAN = 1.6, EXTERNAL MEAN = 1.6



Stakeholder comments

Variable charging schemes are a very popular option amongst stakeholders, being described as a significant or even fundamental step forward. Moreover, there was general agreement that variable charging could begin to be piloted by local authorities in the short to medium term. As one interviewee commented: "it is about time someone dipped their toe in the water".

Most agree that household waste management is not expensive enough at present. Identifying and imposing the cost of waste management on households through, for instance, voucher or council tax discount schemes was seen as key to changing public behaviour.

This recommendation would bring the UK in line with other user charging schemes in Belgium, France, the Netherlands and Sweden.

Further research was recommended to investigate the appropriate charges and incentives needed to encourage changes in household behaviour. Monitoring was considered important in measuring the effectiveness of local authority pilot schemes and ensuring that low income households are not disproportionately affected. In the context of learning from good practice, one stakeholder commented on the desirability of: "a good evaluation programme taking matched pairs of similar authorities employing different charging regimes. That way we will really get a hold of "what works"".

THEME 2:

STIMULATING THE SUPPLY OF AND DEMAND FOR RECYCLABLES AND ECO-DESIGN

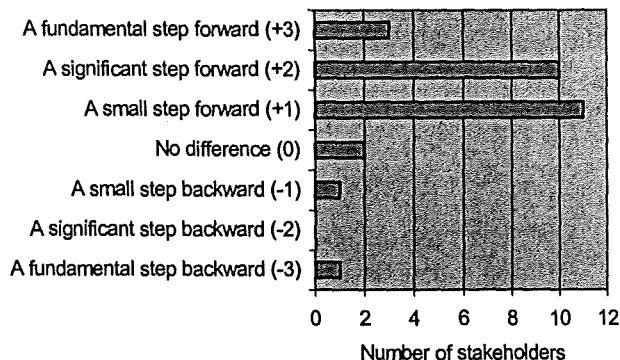
Stakeholder policy recommendation 2.1 More transparency on recycling funding

Local authorities' recycling targets may prove to be more than challenging within the confines of the funding available.

To enable the true situation to be determined, Government should publish clear costings of how local authorities will be able to achieve the recycling targets using the funding made available to them.

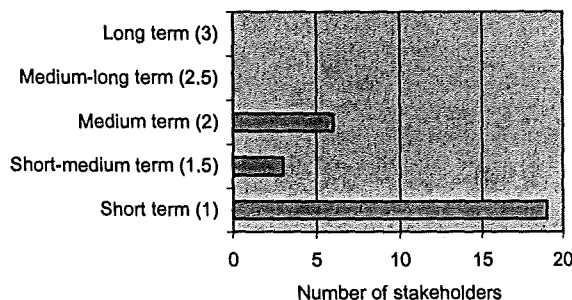
PWG2 2.1: How much difference would it make?

AGENCY MEAN = 1.4, EXTERNAL MEAN = 1.1



PWG2 2.1: Timescale

AGENCY MEAN = 1.2, EXTERNAL MEAN = 1.4



Stakeholder comments

Few stakeholders disputed the need for greater funding and transparency on how local authorities should finance delivering recycling targets.

However, opinion was divided over whose role it is to publish clear costings. Some stakeholders believe that "the regulatory impact assessment for the municipal waste strategy should be re-visited by DEFRA on a multi-stakeholder basis" and that Government should provide spending assessments and guidance on typical costs involved in local authorities pursuing different waste management options. Other stakeholders maintain that it should be the responsibility of each local authority to provide the information as part of their bid for funding.

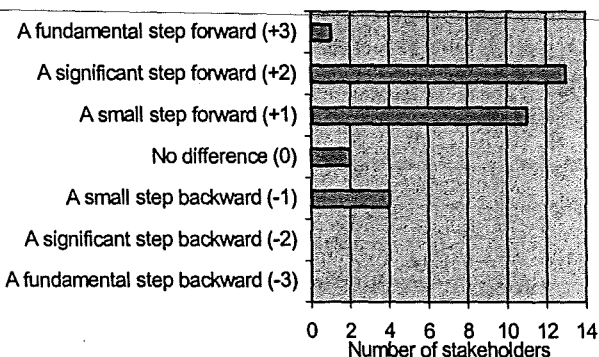
Some stakeholders emphasised that the bigger question is access to funding through a reformed Landfill Tax Credit Scheme and ensuring markets for recycled materials.

Stakeholder policy recommendation 2.2 Introduce tradable permits for local authorities' recycling and composting

Introducing tradable permits would allow local authorities a degree of economic flexibility in attempting to reach recycling / composting targets.

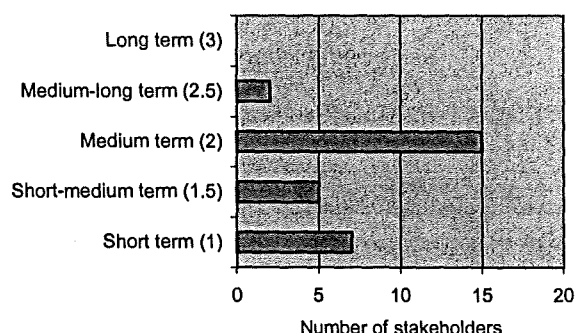
Permits would also produce a financial incentive for local authorities to improve their recycling and composting performance. However, there should be a limit to how much of the requirements can be reached through trading, so as not to undermine the proximity principle.

PWG2 2.2: How much difference would it make? AGENCY MEAN = 1.4, EXTERNAL MEAN = 1.0



PWG2 2.2: Timescale

AGENCY MEAN = 1.6, EXTERNAL MEAN = 1.8



Stakeholder comments

Tradable permits for local authority recycling / composting were less popular with stakeholders, who raised a range of concerns about their introduction.

Weaknesses of tradable permits highlighted by stakeholders include: the potential for undermining the proximity principle and local authorities' and communities' sense of responsibility to pursue recycling and wider activity further up the hierarchy. Other concerns include the potentially disproportionate complexity and expense of introducing tradable permits in comparison to the benefits and savings achieved. Moreover, fluctuating permit prices could make it difficult for local authorities to develop long term waste strategies. As a result, only a minority believe that a tradable permit scheme could be implemented in anything less than the medium term.

However, some stakeholders proposed solutions to these problems. One suggested the use of tradable permits in the time leading to the deadline for meeting statutory targets. Another suggestion was that trading should be limited by geographical proximity, with only neighbouring authorities or within a maximum of 20km from the boundary.

Stakeholder policy recommendation 2.3 Promote economic instruments to help develop markets for recyclables

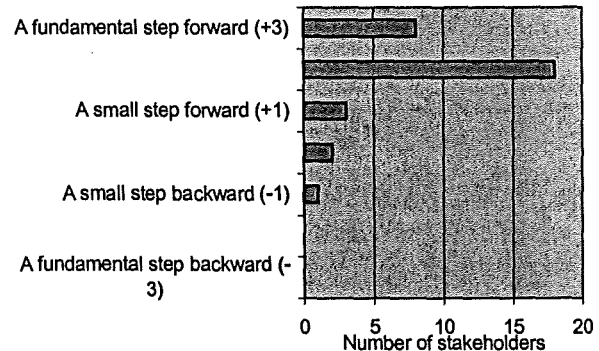
The problem of markets for recycled materials must be seen as a challenge for innovation, rather than an argument against the broad strategy to expand recycling.

The following should be considered:

- setting appropriate specifications for the recycle content of, for example, newsprint and road construction materials – by using both life cycle analysis and a process of stakeholder dialogue. Tradable permits could then be introduced to allow the environmental outcome to be met at least cost.
- a mechanism to hedge prices in those sectors where price instability is a major issue.

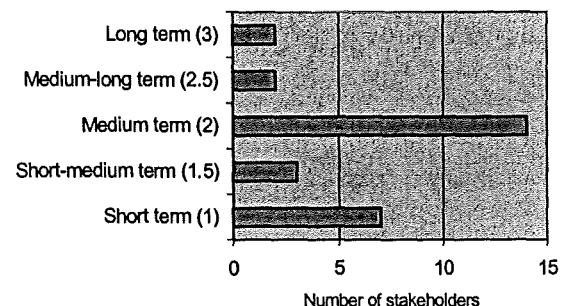
PWG2 2.3: How much difference would it make?

AGENCY MEAN = 1.8, EXTERNAL MEAN = 2.1



PWG2 2.3: Timescale

AGENCY MEAN = 1.6, EXTERNAL MEAN = 1.9



Stakeholder comments

Developing stable markets for recycled materials would be a significant step forward, because, as one stakeholder commented "if all the local authorities meet the recycling targets, the country will be awash with plastic bottles!"

Newsprint was highlighted as one material that is already subject to recycle content specifications by voluntary agreements, which many stakeholders favour over statutory specifications. Some stakeholders insisted that compost should be subject to content specifications to ensure its quality and status in waste management.

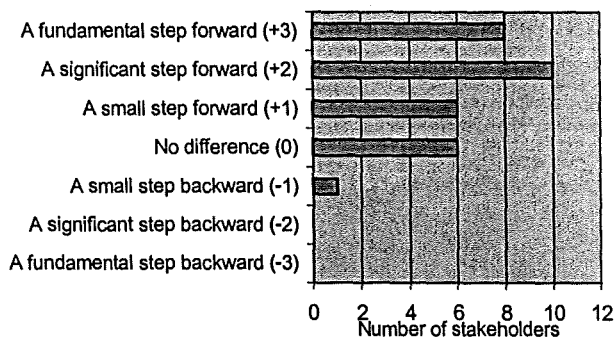
The key challenge, most agreed, was to develop the right set of fiscal instruments and mechanisms to develop markets for recycle. There was considerable support for a mechanism to hedge prices in volatile markets such as paper.

Stakeholder policy recommendation 2.4 Introduce recycled product standard

To assist in stimulating the market for recycled products, a recognised statutory standard (such as the BSI "Kitemark") should be developed for recycled goods / materials – this will ensure consistency in quality and thereby improve consumer confidence.

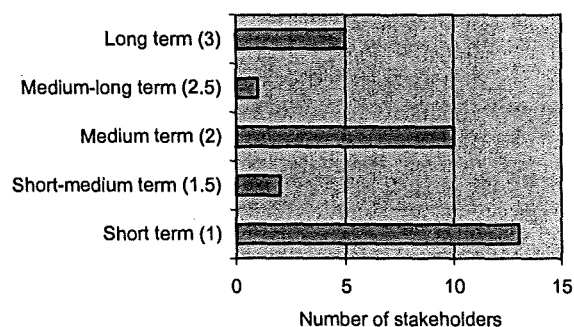
PWG2 2.4: How much difference would it make?

AGENCY MEAN = 1.1, EXTERNAL MEAN = 1.8



PWG2 2.4: Timescale

AGENCY MEAN = 1.6, EXTERNAL MEAN = 1.9



Stakeholder comments

Introducing a recycled product standard, while considered a significant step forward, drew little support from stakeholders who identified a "plethora" of existing quality standards and competing environmental product labels. There was substantial support for "bringing together existing eco-label systems".

Although it is widely agreed that product standards can increase consumer understanding, one stakeholder argued that "the issue is less about consumer confidence and more about the confidence of manufacturers to develop [recycled] products".

Another proposed that, instead of recycled product standards, the fundamental issue is a products' "fitness for purpose". Arguably then, "the need is to develop a set of standards for a range of applications so that users cannot distinguish between virgin and recycled materials except on cost (hopefully recycled materials will be cheaper)".

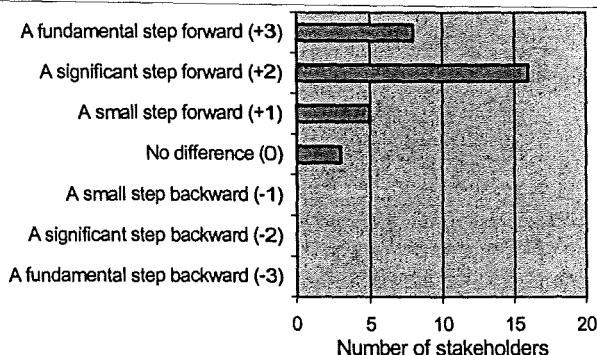
It was highlighted that any new standards should be integrated with existing materials standards and take account of guidance on green labelling and EU Directives (WEEE and End of Life Vehicles).

Stakeholder policy recommendation 2.5 Stimulate market development for eco-designed products

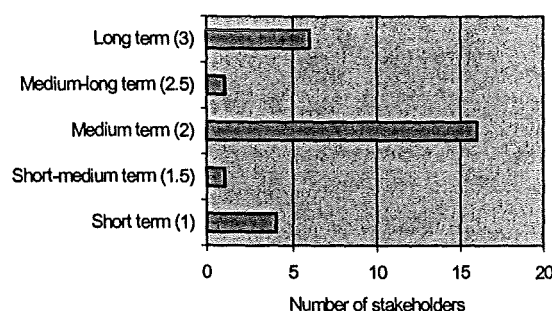
To stimulate the market for eco-designed products, businesses could be offered financial incentives such as:

- reductions to employers' national insurance contributions for large purchases of eco-labelled products
- tax breaks for switching from the sale of materials to the provision of services (i.e. leasing products)
- differentiated taxation such as reduced VAT on eco-labelled products.

PWG2 2.5: How much difference would it make?
AGENCY MEAN = 1.6, EXTERNAL MEAN = 2.1



PWG2 2.5: Timescale
AGENCY MEAN = 2.1, EXTERNAL MEAN = 2.1



Stakeholder comments

The principle of stimulating the market for eco-designed products received widespread support, with stakeholders who said that such a policy change would generally constitute a significant step forward. However, in terms of the specific ideas relating to this principle, opinion was divided.

The greatest concern is about the current confusion surrounding what constitutes an eco-designed product. One stakeholder argued that "until we can find a genuinely accepted eco-label (at least on an EU scale) that covers the majority of environmental impact categories and product types – and has resonance with the consumer – differential VAT will be impossible".

There is little support for reducing employers' National Insurance contributions in return for large purchases of eco-designed products, which was described as "impractical, costly, and like using a sledgehammer to crack a nut"! Equally stakeholders question the value of shifting from the sale of materials to service provision or product leasing, which some suggest may "effectively remove the UK's manufacturing base".

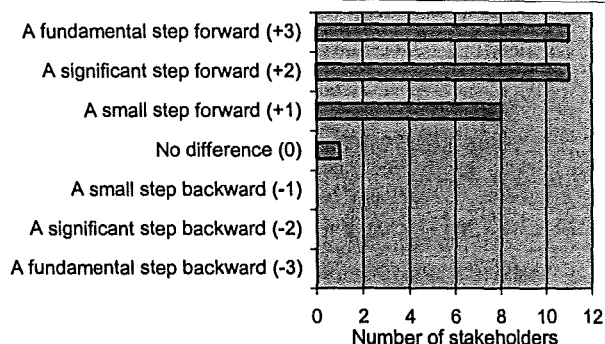
Generally stakeholders preferred stick to carrot approaches to economic instruments and advocate putting greater responsibility on the producer, internalising externalities at the point of purchase or taxing bad design in order to "signal that we expect good design to become the norm".

Stakeholder policy recommendation 2.6 Public sector leadership on green procurement

To set a positive example and increase demand for recycled products, all public sector bodies should have statutory targets for the amount of eco-efficient products they purchase.

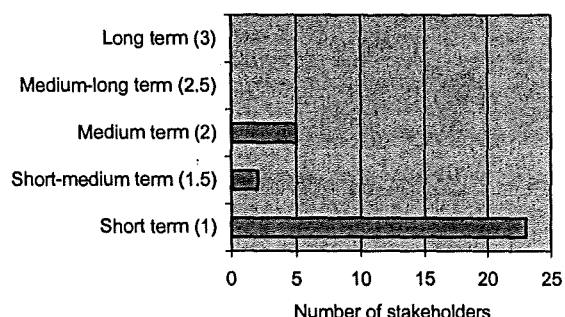
Local authorities should green procurement policies through applying environmental principles via the Best Value initiative. A greening procurement practices web-site should also be established, to assist information sharing and public sector leadership.

PWG2 2.6: How much difference would it make? AGENCY MEAN = 1.4, EXTERNAL MEAN = 2.4



PWG2 2.6: Timescale

AGENCY MEAN = 1.3, EXTERNAL MEAN = 1.1



Stakeholder comments

"Practice what we preach" is a message supported by most stakeholders. More than any other recommendation, public sector leadership on green procurement is considered a short term priority which should be easy to achieve through applying environmental principles, Best Value and following national and European guidance on green procurement.

Some stakeholders argued that the public sector organisations are large consumers and that: "if the public sector was to flex its muscles effectively this could have a serious effect on the demand for recycled and eco-designed products". One stakeholder called for "establishing performance tables for LAs, central Government, Agencies, and regional assemblies". Many stressed that "this should include local authorities *and* central government".

Others argued that the current activity on green procurement is "fairly high" or that "this policy would have more impact in terms of influencing others if it targeted a more competitive sector – as "the public sector is not regarded as being subject to normal market conditions".

Nevertheless, most would agree with the comment that "there is not enough public sector leadership at the moment" and that "this needs to be as much symbolic as real".

POLICY WORKING GROUP 3: PRODUCER RESPONSIBILITY

There was widespread support for greater emphasis on producer responsibility. Tackling waste production at source was considered a critical element of placing resource productivity centre stage in sustainable waste management.

Increasing the pace of producer responsibility initiatives was generally seen as a significant to fundamental step forward. However, some stakeholders remain unconvinced, and many argued for a greater focus on the implications of imminent European Directives, such as WEEE and the End of Life Vehicle's Directive – and the Agency's ability to police these schemes. Most stakeholders remain cautious about broadening the range of products covered by statutory initiatives and agree that systems need to be carefully thought through, smartly designed and based on outcomes.

Moves to improve the provision of data and information on waste and resource flows were seen as critical for encouraging transparency and responsibility, and for measuring environmental performance. Good information was seen as invaluable to understanding the real drivers behind the growth in waste arisings.

Statutory corporate environmental reporting was argued to be an important mechanism for encouraging improved environmental performance through transparency and accountability. However, the impact of reporting was disputed and may well very much depend upon supporting guidelines, targets, and systems for verification and enforcement.

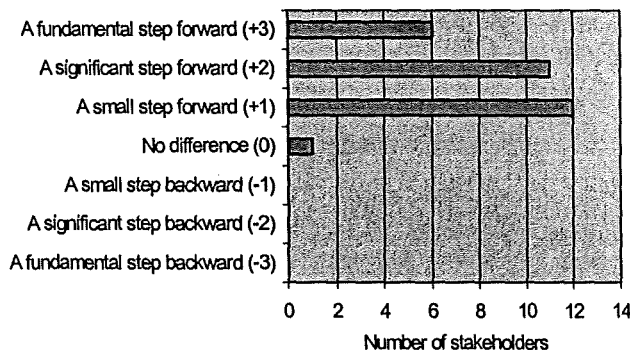
POLICY WORKING GROUP 3: PRODUCER RESPONSIBILITY

THEME 1: INFORMATION

Stakeholder policy recommendation 1.1 Statutory corporate environmental reporting

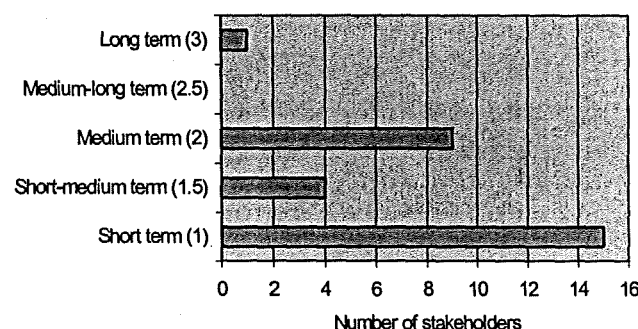
To encourage a private sector focus on resource productivity, a statutory requirement on businesses to produce environmental accounts should be introduced. Waste and wider resource productivity performance should be included in such accounts.

PWG3 1.1: How much difference would it make?
AGENCY MEAN = 1.7, EXTERNAL MEAN = 1.8



PWG3 1.1: Timescale

AGENCY MEAN = 1.4, EXTERNAL MEAN = 1.5



Stakeholder comments

Statutory corporate environmental reporting was seen as an important mechanism for encouraging improved environmental performance through transparency and accountability. Overall, the recommendation was generally seen as offering a significant step forward. However, the impact of reporting was disputed and is likely to depend upon supporting guidelines, targets, verification and enforcement, according to some stakeholders.

Reporting on resource productivity or "whole life supply chain impacts" is widely supported, with suggested caveats that companies provide "practical and relevant environmental financial reporting". This will help pension funds to invest in companies that recognise the win-win benefits of enhanced business competitiveness through environmental protection. To secure quality in reporting, stakeholders also call for environmental accounting standards and improved government reporting guidance on waste prevention.

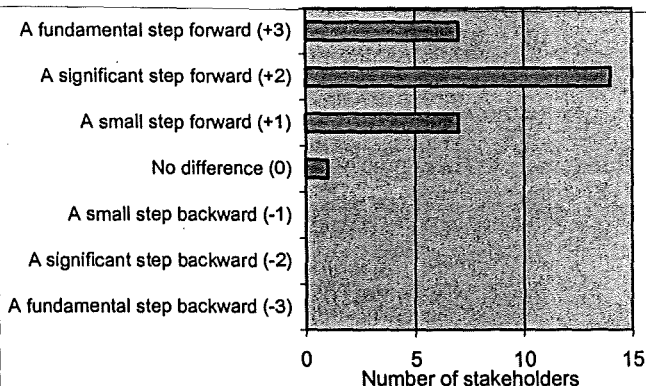
It was noted that "The UK Government has called for FTSE 100 companies to report but this has been met with a fairly lukewarm response". Despite this, several stakeholders argued that corporate environmental reporting should not be made a statutory obligation. Instead, corporate environmental reporting could be encouraged (and applied proportionately for SMEs) through voluntary agreements. One stakeholder felt that this approach would better enable companies "to show genuine commitment" to improved environmental performance.

Stakeholder policy recommendation 1.2
Oblige waste producers and managers to provide accurate waste data

Adequate data is needed to assess whether policy measures are successfully influencing people and businesses' waste decisions and to determine what further measures are necessary to place resource productivity centre stage in waste management.

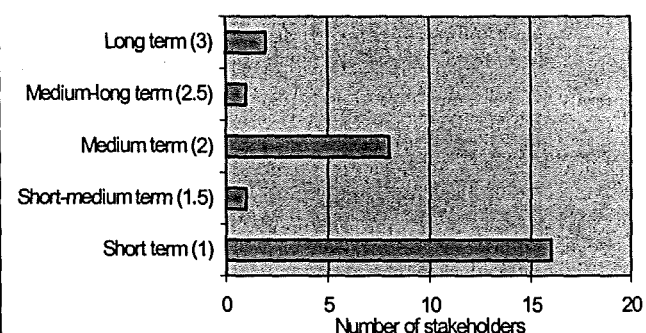
Government should therefore make the provision of accurate waste data a statutory obligation for all those who produce and manage waste, including (but not limited to) licensed and exempt facilities.

PWG3 1.2: How much difference would it make?
 AGENCY MEAN = 1.8, EXTERNAL MEAN = 1.8



PWG3 1.2: Timescale

AGENCY MEAN = 1.5, EXTERNAL MEAN = 1.5



Stakeholder comments

Stakeholders agree that accurate waste data is essential in order to provide base data by which we can measure performance of waste policy measures. As one stakeholder put it: "accurate data on waste arisings and composition of waste streams is crucial in formulating a sensible forward-looking waste strategy".

While there is a need to assess what data is currently available through existing requirements of businesses under the Duty of Care and packaging regulations, gaps in data management must be identified.

Stakeholders were cautious in making data provision a statutory requirement due to the potential impact on SMEs. The recommendation should also specify the obligation on businesses, "rather than all those who produce and manage waste (including households)", suggested one stakeholder.

In order to aid transparency and public awareness, one stakeholder argued that data should be presented "in the form of a publically accessible database management system of resource flows in the economy covering input, process and output phases for liquid, solid and gaseous streams".

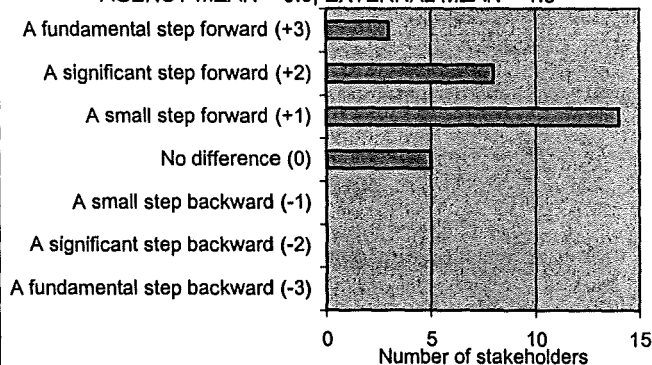
Stakeholder policy recommendation 1.3 Convene stakeholder group to agree protocols for eco-design

Encouraging producers and consumers to support eco-designed products requires agreement over what constitutes eco-design. This is a central issue in discussions over policy ideas such as reduced VAT for eco-labelled products.

In the context of such policy ideas, a stakeholder group should be convened to agree the range of criteria which should underpin product eco-labels (e.g. reduced material mix – so less difficulty in separating materials for recycling, use of recycled material, parts commonality – to allow re-use of parts, durability, energy efficiency etc).

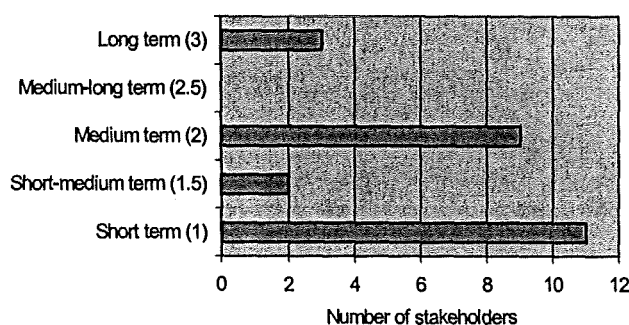
PWG3 1.3: How much difference would it make?

AGENCY MEAN = 0.9, EXTERNAL MEAN = 1.5



PWG3 1.3: Timescale

AGENCY MEAN = 1.4, EXTERNAL MEAN = 1.8



Stakeholder comments

Developing greater clarity over what constitutes eco-design was welcomed by most stakeholders, with some highlighting the plethora of current labels and the differences that exist between the eco-design community. However, few believed in the merit of convening a stakeholder group to agree protocols for eco-design and considered it a small-medium step forward towards sustainable waste management.

Some stakeholders were sceptical about such a group, arguing that it would turn into a "pointless body of people" or a "vague talking shop". The DEFRA Eco-Labeling Board were noted as one key group currently looking at labelling.

More fundamentally, other stakeholders argue that "setting standards could limit desired innovation", and that standards will ultimately be set by the market and "economically stimulated business".

THEME 2: WASTE / RESOURCE EFFICIENCY CLUBS

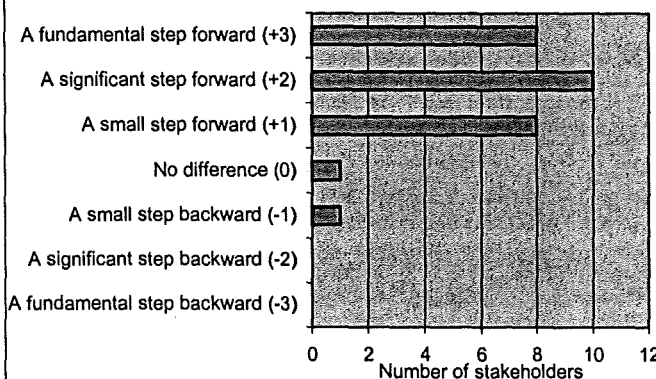
Stakeholder policy recommendation 2.1 R&D into growth in waste arisings to drive waste minimisation

Government and the Agency should carry out R&D to determine the reasons that underpin changes in municipal, industrial, and commercial waste arisings and use this analysis to drive its minimisation efforts, rather than accept growth as a fait accompli which must be accommodated.

Waste / resource efficiency business clubs are a key stakeholder group, and representatives should be included in the process of developing proposals to drive waste minimisation activity.

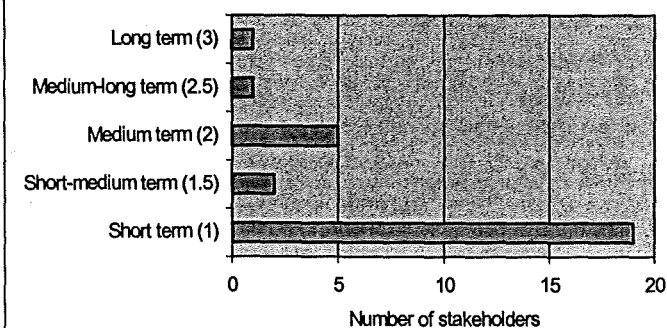
PWG3 2.1: How much difference would it make?

AGENCY MEAN = 1.8, EXTERNAL MEAN = 1.8



PWG3 2.1: Timescale

AGENCY MEAN = 1.4, EXTERNAL MEAN = 1.3



Stakeholder comments

More research and development into municipal, industrial and commercial waste arisings received mixed views from those stakeholders interviewed. Overall though, this recommendation was seen as offering a generally significant step forward.

While some stakeholders dismiss "too much R&D and pump priming" and call for the need to be more active ensuring wider dissemination of existing information, others welcome more micro-analysis into particular waste streams as an important incremental step in identifying reasons for the growth in waste arisings and the barriers for promoting best practice.

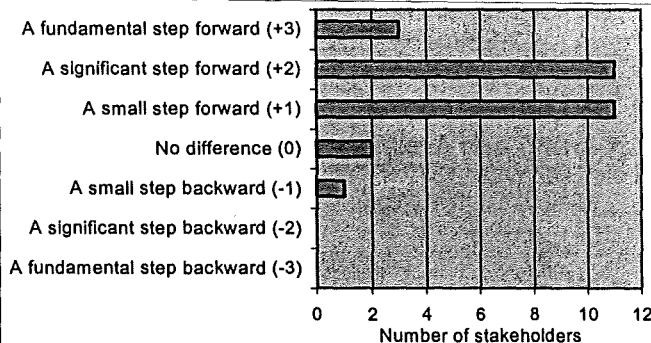
Stakeholder policy recommendation 2.2 Improve business understanding of hazardous waste management

Waste / resource efficiency business clubs should be encouraged to consider the long-term scope for hazardous waste reduction.

Moreover, for specified producers of hazardous wastes there should be a statutory duty to prepare simple waste management assessments to encourage waste prevention and better management of residual wastes.

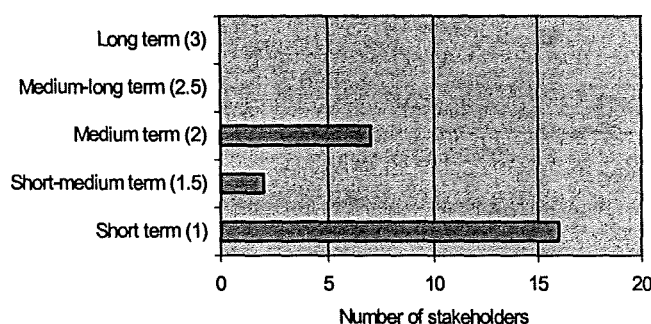
PWG3 2.2: How much difference would it make?

AGENCY MEAN = 1.4, EXTERNAL MEAN = 1.5



PWG3 2.2: Timescale

AGENCY MEAN = 1.3, EXTERNAL MEAN = 1.4



Stakeholder comments

"A conscious effort to approach business is crucial to increasing understanding of hazardous waste management". This short term objective was welcomed as being a significant step forward, but met with both caution and optimism.

Stakeholders felt that there is likely to be a dramatic rise in the cost of hazardous waste management. As such, raising business understanding will become increasingly important and will need to be tackled through "regulation, information and economic instruments". However, stakeholders highlighted the problem of getting SMEs on board, who have "the least capacity to implement change".

To combat this problem, stakeholders recommended that mechanisms for facilitating this increased understanding amongst businesses should encompass a whole programme of initiatives, not just waste minimisation clubs. Initiatives through, for example, existing trade associations could also help drive change.

Views on the likely impact of this recommendation varied, with one stakeholder suggesting that "the Landfill Directive will make the difference. The Directive is more immediate and far reaching".

THEME 3: PRODUCER RESPONSIBILITY APPROACHES

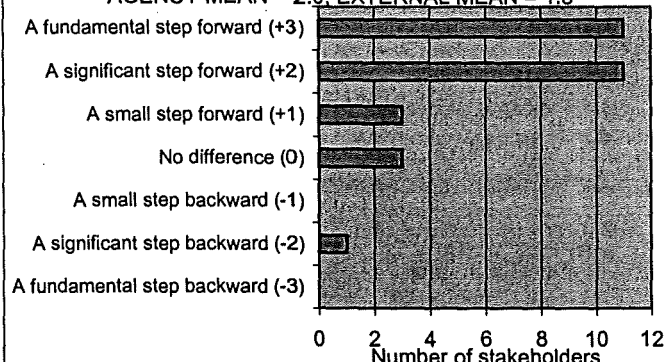
Stakeholder policy recommendation 3.1 Increase the pace of introducing producer responsibility initiatives

In the context of resource productivity, producer responsibility is one of the strongest mechanisms to transform waste management. Such mechanisms need to be used more extensively and effectively, else the costs of transforming waste management will fall predominantly on the taxpayer in general, rather than industry and the consumers of specific products. Statutory producer responsibility initiatives need to be extended to a much broader range of products within the waste stream, and the pace of introducing producer responsibility legislation needs to increase.

Examples of good practice: Danish approach to producer responsibility in general and household waste, electrical and electronic equipment.

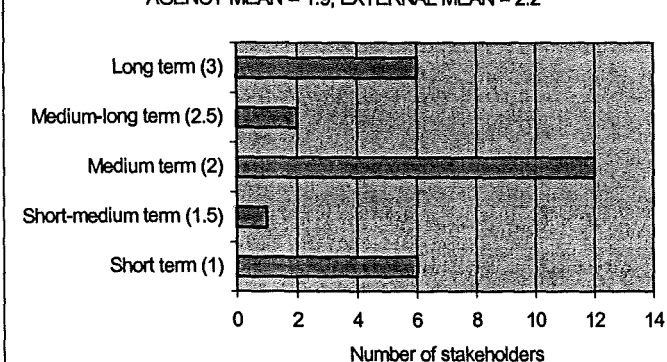
PWG3 3.1: How much difference would it make?

AGENCY MEAN = 2.0, EXTERNAL MEAN = 1.8



PWG3 3.1: Timescale

AGENCY MEAN = 1.9, EXTERNAL MEAN = 2.2



Stakeholder comments

Producer responsibility initiatives are a strong mechanism for shifting waste practice towards resource productivity. Increasing the pace of these initiatives was generally seen as a significant to fundamental step forward, although some stakeholders remained unconvinced.

"We must not rush into a perceived panacea believing that producer responsibility fixes all", warned one stakeholder. The impact of producer responsibility clearly depends on the initiative, its design and how it is implemented. The Packaging Directive was given as one example. Some stakeholders advised focusing more on the implications of imminent European Directives, such as WEEE and the End of Life Vehicle's Directive – and "the Agency's ability to police these schemes".

Most stakeholders remained cautious about broadening the range of products covered by statutory initiatives and agreed that systems need to be carefully thought through, smartly designed and based on outcomes. Other suggested alternatives include improving existing initiatives, voluntary agreements and industry led solutions.

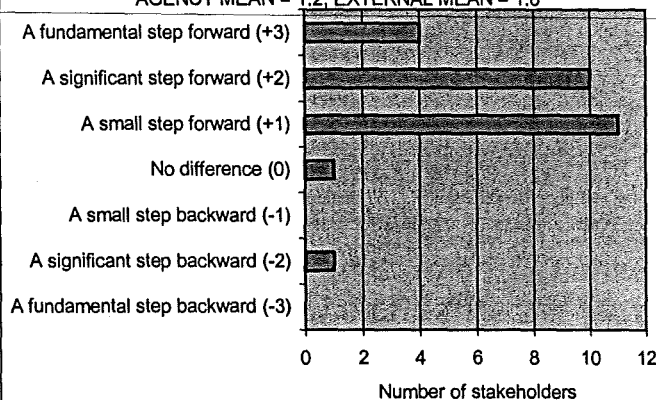
Stakeholder policy recommendation 3.2 Introduce deposit refund schemes for household hazardous wastes

Introduce deposit refund schemes for household hazardous wastes.

These are materials which arise in small quantities in dispersed form throughout the waste stream. It is important that these are treated at the correct facilities.

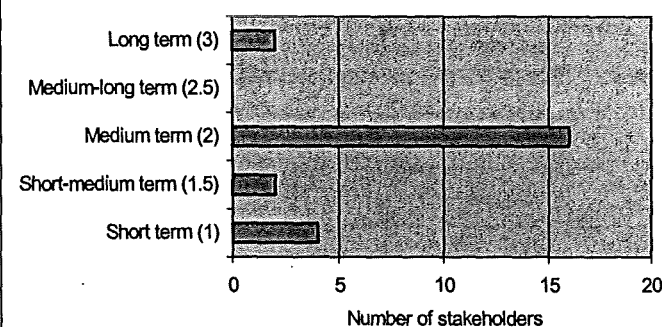
PWG3 3.2: How much difference would it make?

AGENCY MEAN = 1.2, EXTERNAL MEAN = 1.6



PWG3 3.2: Timescale

AGENCY MEAN = 1.9, EXTERNAL MEAN = 1.9



Stakeholder comments

Pre-separation of hazardous household materials is heralded as "a good idea" and a significant step forward due to the "disproportionate levels of hazard in comparison to the amount of material". However, stakeholders expressed scepticism about the practicalities of introducing deposit refund schemes for these materials.

Likely only to be a politically acceptable and practical option in the medium term, this recommendation primarily suffers from the lack of definition of household hazardous waste and the challenge in setting effective incentives to encourage public participation.

As one stakeholder put it: "Success depends on how the scheme is designed to incentivise people and how you get them to participate. A central collection point may be a significant obstacle to public participation." Another commented "it might cost £20 to encourage people to deposit a rechargeable battery!" Many stakeholders also highlighted the need for cost-benefit analyses of deposit refund schemes and the need to develop successful markets for recovered materials.

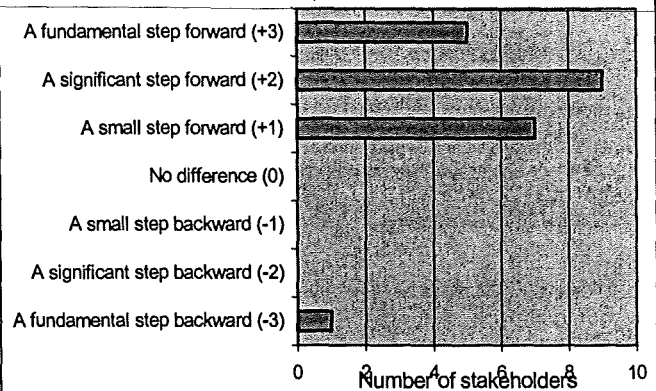
Overall, this recommendation is regarded as a practical detail, rather than a strategic objective, which may in any case come about as a result of EU Directives.

Stakeholder policy recommendation 3.3 Review the producer responsibility framework for packaging

To date, the financial benefits accruing out of the Packaging waste Recovery Note system has flowed to the reprocessors of material, on the assumption that they would invest in the necessary logistics and reprocessing infrastructure. This "demand pull" assumption has been demonstrated to be an unrealistic one. Consideration should therefore be given to reforming the system on the basis of "supply push", whereby:

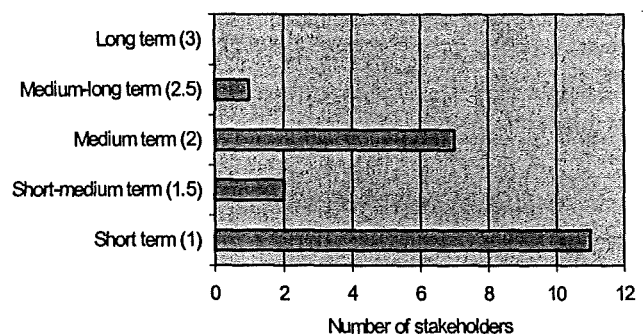
- the Tradeable Permits regime rewards those who physically separate and recover material and make it available through the waste industry for reprocessing. PRNs would thus be issued to all those who deliver recycle to registered processors. Processors would only be allowed to issue PRNs to themselves (whatever their obligations) if they have supplied the recycle.
- those companies which exceed a pre-set target performance level should be given Tradeable Permits to trade with others which fail to achieve their targets.

PWG3 3.3: How much difference would it make? AGENCY MEAN = 2.0, EXTERNAL MEAN = 1.5



PWG3 3.3: Timescale

AGENCY MEAN = 1.3, EXTERNAL MEAN = 1.6



Stakeholder comments

The majority of stakeholders welcomed a review of the producer responsibility framework for packaging as a significant step forward. The current packaging regulations are widely criticised for being unnecessarily complicated, and more importantly, unsuccessful in reducing the amount of packaging.

"A review of the packaging framework is probably necessary, but only a small step forward unless done in the context of other producer responsibility measures".

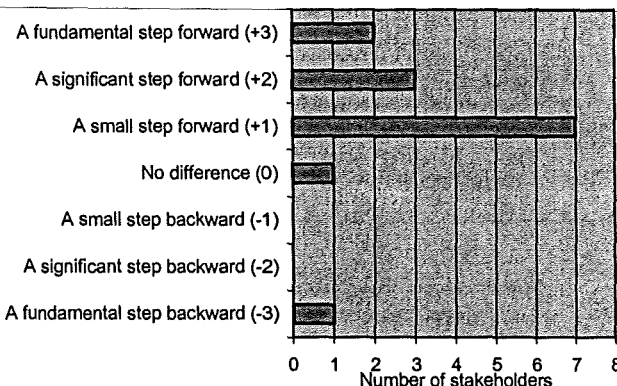
Despite some questioning of the "demand pull" and "supply push" assumptions made in the recommendation, there is an evident need for better understanding of the political issues involved in relation to this key issue so as to improve decision making.

Stakeholder policy recommendation 3.4 Review potential of single point responsibility for packaging PRNs

If the "supply push" option is rejected "demand pull" should be operated in its simple most effective format - by having single point responsibility. In the past the objection to this centred on pass through costs.

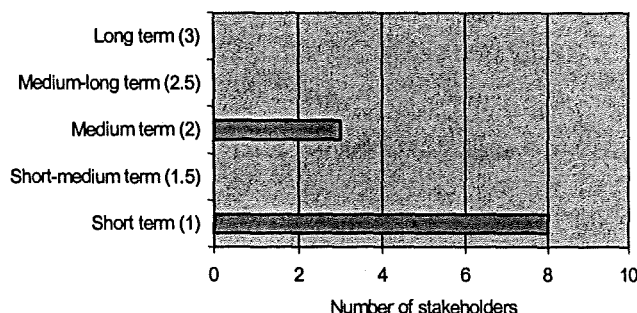
The Department and Agency thus need to decide whether transparent, supplementary charging per unit of output - as adopted in Germany, low countries and France - is a better option.

PWG3 3.4 How much difference would it make? AGENCY MEAN = 1.1, EXTERNAL MEAN = 1.1



PWG3 3.4: Timescale

AGENCY MEAN = 1.0, EXTERNAL MEAN = 1.5



Stakeholder comments

Single point responsibility for Packaging Waste Recovery Notes generated the most contention amongst stakeholders.

Some agreed that a review in the short term was necessary, and that single point responsibility is a more practical option than the current system. At the same time, other stakeholders fundamentally disagreed, arguing that the UK industry has already decided to adopt multi-points for PRNs, which is "the best, most cost effective way of doing it".

There was however agreement that this recommendation is "esoteric" if examined in isolation and that it should therefore be considered as part of a wider process.

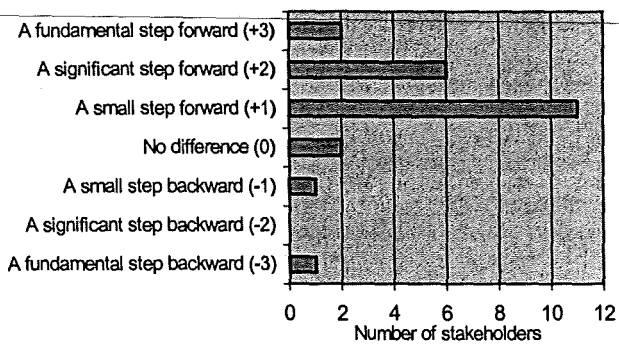
Stakeholder policy recommendation 3.5 Review status of incineration in relation to PRNs

There is as much logic in allowing incineration plants to issue PRNs for packaging flow inputs as there would be to give the same facility to landfill operators (because inflows of the same organic packaging (except plastics) can be converted to methane which in turn can be used for energy recovery). The right of incineration plants to issue PRNs should be removed - subsidising energy from waste plants from recycling credits is a charade.

Consideration should also be given to revising the Packaging Regulations scheme to ensure 'non-obligated' packaging falls under its scope and to increasing the recycling targets.

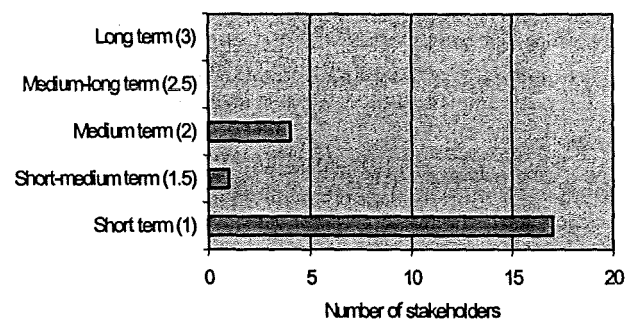
PWG3 3.5 How much difference would it make?

AGENCY MEAN = 1.1, EXTERNAL MEAN = 1.1



PWG3 3.5: Timescale

AGENCY MEAN = 1.2, EXTERNAL MEAN = 1.2



Stakeholder comments

Despite some support for reviewing the status of incineration in relation to PRNs, many stakeholders believe that this short-term objective will only be a small step forward and needs to be part of an integrated policy.

Specific comments included: "this will happen under review of Packaging Directive" and "the proposed amendments of the Packaging Directive are to exclude recovery to just recycling". A different perspective also emerged: "The UK will have to apply what the EU decides. DEFRA looks at BPEO. Therefore, incineration may be better than recycling / re-use".

There was more agreement on the general point that "this must be reviewed in context of where incineration sits within the waste management system" and that "further discussion around incineration proposals / role of energy from waste is needed". It was noted that such discussions "will be taken forward as part of the Cabinet Office PIU project on waste".

APPENDIX 1: Environment Agency Input to the 2001 DEFRA Waste Summit

OUR VISION A long-term goal of zero waste production

The Waste Strategy is likely to fall well short of delivering the large step changes that are needed to tackle the waste issue, leading to serious environmental, social and long-term economic impacts. The Agency sees that there is a critical need to bridge the gap between current practice, and what needs to be done to deliver sustainable waste management. We call for a radical new set of outcome based policy measures that will;

- deliver, from increased waste revenues, practical financial help to local government to implement challenging new waste strategies;
- Re-engage communities in decision making through a combination of public debate and information;
- refocus the attention of business.

10 POINT PLAN

1. **Focus on the environmental outcomes to be achieved**
2. **Increase economic incentives and align them with the policy aim of minimum environmental impact**
3. **Develop effective waste strategies that place community engagement centre stage**
4. **Adopt more ambitious recycling targets**
5. **Improve the market for recycled materials**
6. **Impose reduction and recycling targets for businesses and environmental accounting of waste and resource productivity**
7. **Keep waste management options open by avoiding long-term commitments to technologies low down the waste hierarchy.**
8. **Improve strategic waste planning and development control processes**
9. **Make funding available for regular waste production surveys and dissemination of the information obtained**
10. **Establish an independent strategic waste and resource management research centre**

**ENVIRONMENT AGENCY
NOVEMBER 2001**

WASTE SUMMIT – 21 NOVEMBER 2001

ENVIRONMENT AGENCY VIEW OF THE WASTE STRATEGY SUCCESSES, BARRIERS AND SOLUTIONS

SUCCESSES

1. The Strategy provides a good framework for future policy and instrument development
2. The Strategy is based for the first time on national waste information.
3. The Waste and Resources Action Plan (WRAP) to develop and stimulate recycle markets.
4. Early recycling targets for local authorities are demanding and challenge accepted practice. Early provision of additional GIA to local authorities in devolved administrations has allowed them a head start in developing infrastructure.
5. Hazardous waste landfill restrictions under the strategy and Landfill Directive are putting pressure on producers to reduce quantities produced and / or identify alternative treatments or disposal.
6. The Landfill tax escalator and Government guidance to increase the direction of tax credits to develop more sustainable waste options.

BARRIERS AND SOLUTIONS

1. There is a lack of focus on the environmental outcomes we want to see achieved. Compliance with targets and legislation should be in the context of an overall strategy, rather than the strategy itself.

We need to **focus on the environmental outcomes to be achieved**. Progress towards greater sustainability should be monitored against a set of waste indicators and targets for environmental outcomes - aimed at waste producers as much as waste managers.

2. Economic instruments for waste are disjointed and fail to reflect the full environmental and public health costs for ALL waste disposal operations. These costs – including those for landspreading and incineration – are not being reflected in the charges to the waste producers. Landfill is also too cheap. This frustrates more sustainable but higher cost alternatives.

Increase economic incentives and align them with the policy aim of minimum environmental impact. In particular, convert the landfill tax into a waste tax, extended to include incineration, with graduated charges according to the environmental costs. In addition introduce taxes on virgin materials. Revenues should be used to help local government fund waste management options higher up the hierarchy and to fund demonstration projects for new technologies.

3. The lack of ownership by the general public of local waste strategies and solutions.

We need to **develop effective waste strategies that place community engagement centre stage**. We need to build public understanding and trust through better information about all the environmental and health impacts and financial costs of waste management options. This will enable communities to be more effectively involved and take responsibility for adopting more sustainable strategies for dealing with their own wastes.

4. Local Authorities lack the resources and means to achieve more ambitious recycling targets.

We need to **adopt more ambitious recycling targets** by building on the Government's 2005 target of 25% recycling of household waste with targets based on stimulated recycle markets. More ambitious targets for future years should be achievable within integrated strategies designed to manage waste at minimum overall environmental cost. This could be incentivised through a tradeable credit scheme. Local authorities should be allowed to pilot variable charging schemes for domestic waste, alongside kerbside collections. Together with increased co-ordination between waste collection and disposal Authorities this will help to increase the potential for municipal waste reduction, re-use and recycling.

5. There are still poor markets for recycled materials.

We need to **improve the market for recycled materials**. This can only be achieved through public / market confidence in secondary materials in terms of their performance, price and safety. We are working with WRAP and others on standards for compost; similar standards are needed on other materials. These standards need to be made statutory if voluntary measures are not effective.

6. The Strategy does not impose reduction or recycling targets on businesses.

We need to **impose reduction and recycling targets for businesses and environmental accounting of waste and resource productivity** to act as a Boardroom incentive for waste minimisation. We recommend the inclusion in any new company or environmental law of the requirement for public disclosure of all companies waste management performance in their statutory annual reports and accounts. We need to extend the scope of producer responsibility to encourage greater resource efficiency and eco-design, and greater reuse/recycling.

7. Waste disposal sites such as landfills and incinerators are deeply unpopular with the public. If badly sited or sized they can undermine the drive to more sustainable waste management options further up the hierarchy and fail to maximise energy (heat) recovery.

We recognise that both landfill and incineration will continue to have roles to play within an integrated strategy for waste management. Where incinerators are needed, they should be appropriately sized to avoid competition with recycling and sited so that energy recovery is economically possible. This will also **keep waste management options open by avoiding long-term commitments to technologies low down the waste hierarchy**. We agree that energy from mixed waste incineration should be excluded from the Renewables Obligation.

8. The Development Control and Strategic Waste Planning systems are failing to deliver strategies and planning decisions in time.

Government should set firm deadlines (re-inforced by a penalty system) for completion of regional and local waste strategies. We need to **improve strategic waste planning and development control processes** to ensure that the right waste and materials handling facilities are developed in the right place and at the right time in line with agreed regional and local strategies. Introduce a formal system of parallel tracking applications for environmental permits and planning consents. Overall planning / permitting / development lead times need to be reduced to increase flexibility and prevent getting locked into long-term predict and provide solutions.

9. The lack of accurate and up to date waste production and management data on which to base more sustainable waste / materials solutions. These must be based on an accurate understanding of waste markets and the environmental / health impacts of alternative strategies.

Make funding available for regular waste production surveys and dissemination of the information obtained. Waste management / disposal information should be publicly available and presented through a classification scheme that facilitates strategy development and monitoring.

10. Lack of co-ordination on waste Research and Development and information.

We need to **establish an independent strategic waste and resource management research centre**. We need to understand the reasons for the underlying growth in household waste and be able to model and predict the environmental outcomes of alternative waste management strategies. New, easy to use tools and technologies, will help us to plan more sustainable solutions and monitor their effectiveness.

APPENDIX 2: Policy working groups

Policy working group 1: Placing resource productivity centre stage in sustainable waste management		
Martin Bigg	Head of Process Industries Regulation	Environment Agency
John Colvin	Social Policy Manager, SD Unit	"
Jeff Cooper	New Duties Manager, Waste function	"
Philip Douglas	Policy Development Officer	"
Colin Foan	Technology Assessor, NCRAOA	"
Jeremy Frost	EP Manager, North West	"
Steve Lee	Head of Waste	"
Chris Newton	Head of Sustainable Development	"
Chris Saville	Waste Planning Officer, Anglian Region	"
Alison Sharp	Performance & Innovation Unit	Cabinet Office
Sue Ellis	Head of DEFRA Waste Policy Division	DEFRA
Tony Gillet	Waste Policy Officer	Daventry District Council
Dominic Hogg	Director	Eunomia Consultants
Peter Jones	Director, Development & External Relations	Biffa
Andy Rees	Head of Wales Waste Policy Support Unit	National Assembly for Wales
Ben Shaw	Senior Policy Officer	Green Alliance
Jim Skea	Director	Policy Studies Institute
Philip Smith		Land Use Consultants
Karine Pellaumail	Waste campaigner	Friends of the Earth

Policy working group 2: Economic instruments and incentives for waste reduction, re-use and recycling		
Martin Cheesbrough	Prevention and Minimisation Programme Manager	Environment Agency
Jeff Cooper	New Duties Manager, Waste function	"
Philip Douglas	Policy Development Officer	"
Henry Leveson Gower	Economic Analyst	"
Steve Lee	Head of Waste	"
Ronan Palmer	Chief Economist	"
Chris Saville	Waste Planning Officer, Anglian Region	"
Tim De Winton	Strategic Planning Manager, South West	"
Sarah Downes	Waste Policy Officer, Waste Policy Support Unit	National Assembly for Wales
David Foley	Environmental Researcher	Xerox Europe
Ray Georgeson	Policy Director	WRAP
Dominic Hogg	Director	Eunomia Consultants
Peter Madden	Special Advisor to Environment Minister	DEFRA
Trevor Reid	DTI Environment Waste Advisor	DTI
Ben Shaw	Senior Policy Officer	Green Alliance
Jim Skea	Director	Policy Studies Institute
Peter Toombs	Waste Policy Officer	Local Government Association
Karine Pellaumail	Waste campaigner	Friends of the Earth

Policy working group 3: Producer responsibility		
Amanda Barratt	NWRU Manager, Thames Region	Environment Agency
Jeff Cooper	New Duties Manager, Waste function	"
Philip Douglas	Policy Development Officer	"
Jon Foreman	EPNS Waste Minimisation Advisor	"
Henry Leveson Gower	Economic Analyst	"
Chris Newton	Head of Sustainable Development	"
Ronan Palmer	Chief Economist	"
Bill Watts	Economic Analyst	"
Mark Downs	DTI Head of Waste Policy	DTI
Wayne Fletcher	Policy Officer	Federation of Small Businesses
David Foley	Environmental Researcher	Xerox Europe
Ray Georgeson	Policy Director	WRAP
Adrian Cole		Envirowise
Rob Holt	Head of Business & Environment Branch	National Assembly for Wales
Tim Jackson	Centre for Environmental Strategy	Surrey University
Phil Conran	Development/External Relations	Biffa
Otto Linher	Resources & IPP	EC DG Environment
Sheila McKinley	DEFRA, Head of Producer Responsibility	DEFRA
Ben Shaw	Senior Policy Officer	Green Alliance

APPENDIX 3: Stakeholder consensus and disagreement on policy recommendations

The table below presents the policy recommendations identified by stakeholders as making the most difference to placing resource productivity centre stage in sustainable waste management.

Table (1). How much difference would it make?¹⁶

Rank	SPR	Recommendation	Score
1	PWG2 1.1	Develop economic incentives in the context of an environmental strategy	2.5
2	PWG 1 1.1	Adopt and outcomes based approach	2.4
	PWG 2 2.6	Public sector leadership on green procurement	2.4
4	PWG 1 2.3	Promote kerbside collection of household waste	2.3
5	PWG 2 1.2	Reform Landfill Tax into a waste disposal tax	2.2
6	PWG 2 2.3	Promote economic instruments to help develop markets for recyclables	2.0
	PWG 2 2.5	Simulate market development for eco-designed products	2.0
8	PWG 1 3.1	Pre-separate valuable and potentially hazardous materials from incineration	1.9
9	PWG 1 1.2	Signal a long term aim to shift waste practice in line with the waste hierarchy	1.8
	PWG 1 1.3	Set recycling and composting targets in line with vision	1.8
	PWG 1 2.1	Take a broad participatory approach to waste decision making	1.8
	PWG 2 1.7	Allow local authorities to pilot variable charging schemes	1.8

Table (2). Recommendations on which stakeholders most agreed on the question 'how much difference would it make?'

Rank	SPR	Recommendation	Variance
1	PWG 1 1.1	Adopt an outcomes based approach	0.4
	PWG 2 1.2	Reform Landfill Tax Credit into a waste disposal tax	0.4
3	PWG 1 2.2	Broaden membership of RTABs	0.5
	PWG 2 1.1	Develop economic incentives in the context of an environmental strategy	0.5
	PWG 2 2.6	Public sector leadership on green procurement	0.5
6	PWG 1 1.5	Parallel track environmental and planning permits	0.6
	PWG 1 1.6	Take further action on fly tipping	0.6
	PWG 1 2.1	Take a broad participatory approach to waste decision making	0.6
	PWG 1 2.5	Ensure a transparent process for incinerator monitoring	0.6
	PWG 1 3.1	Pre-separate valuable and potentially hazardous materials from incineration	0.6
	PWG 2 1.6	Ensure the Climate Change Levy does not undermine the waste hierarchy	0.6
	PWG 2 2.3	Promote economic instruments to help develop markets for recyclables	0.6

Table (2) is based on stakeholders' answers to the question: "how much difference would it make?". The lowest variance scores illustrate where there is most consensus amongst stakeholders.

¹⁶ Table 1a. is based on stakeholders' answers to the question: "How much difference would it make?", with "a small step", "a significant step" and "a fundamental step" being scored as 1, 2 and 3 respectively (with positive scores for "a step forward" and negative scores for "a step backward"). For this purpose, the data was normalised – i.e. internal Agency stakeholders were combined into one voice, so that the average scores would not be biased by the dominance of Agency stakeholders on the working groups.

Table (3). Recommendations on which stakeholders most disagreed on the question 'how much difference would it make?'

Rank	SPR	Recommendation	Variance
1	PWG 3 3.4	Review potential of single point responsibility for packaging framework	3.0
2	PWG 3 3.5	Review status of incineration in relation to PRNs	2.6
3	PWG 3 3.3	Review the producer responsibility framework for packaging	2.1
	PWG 2 1.5	Ensure PFI funding does not undermine the waste hierarchy	2.1
5	PWG 3 3.1	Increase the pace of introducing producer responsibility initiatives	2.0
6	PWG 2 2.1	More transparency on recycling funding	1.7
7	PWG 2 1.4	Reform Landfill Tax Credit Scheme priorities	1.5
8	PWG 1 2.1	Take a broad participatory approach to waste decision making	1.6
9	PWG 2 2.2	Introduce tradable permits for local authorities' recycling and composting	1.3
10	PWG 1 1.2	Signal a long term aim to shift waste practice in line with the waste hierarchy	1.3

Table (3) shows on which recommendations there is the greatest disagreement amongst stakeholders. For both tables, the data has been normalised – i.e. internal Agency stakeholders were combined into one voice, so that the average scores would not be biased by the dominance of Agency stakeholders on the working groups.

Table (4). Recommendations on which there is most agreement between internal and external stakeholders on the question 'how much difference would it make?'

Rank	SPR	Recommendation	Internal mean	External mean
1	PWG 1 2.4	Improve access to data	1.5	1.5
1	PWG 1 2.6	Engage in public debate on health risks from waste management facilities	1.5	1.5
1	PWG 1 3.3	Site incinerators to meet local industrial demand for CHP	1.7	1.7
1	PWG 2 1.2	Reform Landfill Tax into a waste disposal tax	2.2	2.2
1	PWG 2 1.3	Reform Landfill Tax governance	1.3	1.3
1	PWG 2 1.6	Ensure Climate Change Levy does not undermine the waste hierarchy	1.7	1.7
1	PWG 3 1.1	Statutory corporate environmental reporting	1.7	1.7
1	PWG 3 1.2	Oblige waste producers and managers to provide accurate waste data	1.8	1.8
1	PWG 3 3.4	Review potential of single point responsibility for packaging PRNs	1.1	1.1
1	PWG 3 3.5	Review status of incineration in relation to PRNs	1.1	1.1

Table (4) is based on stakeholders' answers to the question: "How much difference would it make?", with "a small step", "a significant step" and "a fundamental step" being scored as 1, 2 and 3 respectively (with positive scores for "a step forward" and negative scores for "a step backward"). The table presents the recommendations on which internal and external stakeholders agree. For this purpose, the data was normalised – i.e. internal Agency stakeholders were combined into one voice, so that the average scores would not be biased by the dominance of Agency stakeholders on the working groups.

Table (5). Recommendations on which there is most disagreement between internal and external stakeholders on the question 'how much difference would it make?'

Rank	SPR	Recommendation	Internal mean	External mean
1	PWG 2 2.6	Public sector leadership on green procurement	1.4	2.4
2	PWG 2 1.5	Ensure PFI funding does not undermine the waste hierarchy	1.0	1.7
	PWG 2 2.4	Introduce recycled product standard	1.1	1.8
4	PWG 1 2.1	Take a broad participatory approach to waste decision making	2.2	1.6
	PWG 1 3.2	Signal that small incinerators are preferred	2.0	1.4
	PWG 3 1.3	Convene stakeholder group to agree protocols for eco-design	0.9	1.5
7	PWG 1 1.5	Parallel track environmental and planning permits	1.1	1.6
	PWG 3 3.3	Review the producer responsibility framework for packaging	2.0	1.5

Table (5) is based on stakeholders' answers to the question: "How much difference would it make?", with "a small step", "a significant step" and "a fundamental step" being scored as 1, 2 and 3 respectively (with positive scores for "a step forward" and negative scores for "a step backward"). The table presents the recommendations on which there is most disagreement between internal and external stakeholders. For this purpose, the data was normalised – i.e. internal Agency stakeholders were combined into one voice, so that the average scores would not be biased by the dominance of Agency stakeholders on the working groups.

APPENDIX 4: Acronyms

BAG	Board Advisory Group
BIE	Business In the Environment
BPEO	Best Practicable Environmental Option
BPPO	Best Practicable Planning Option
CCL	Climate Change Levy
CHP	Combined Heat and Power
DEFRA	Department for the Environment Food and Rural Affairs
DTI	Department for Trade and Industry
DTLR	Department for Transport, Local Government and the Regions
EA	Environment Agency
EC	European Commission
ELV	End of Life Vehicles Directive
ETRAC	Environment, Transport and Regional Affairs Committee
EU	European Union
GDP	Gross Domestic Product
HHW	Household Hazardous Waste
IPP	Integrated Product Policy
IPPC	Integrated Pollution Prevention and Control
LA	Local Authority
LCA	Life Cycle Analysis
LFD	Landfill Directive
LTCS	Landfill Tax Credit Scheme
LUC	Land Use Consultants
MNC	Multi National Company
MSW	Municipal Solid Waste
OSPAR	Oslo – Paris (as in OSPAR Convention)
PFI	Private Finance Initiative
PIU	Performance & Innovation Unit
PRN	Packaging Waste Recovery Note
PWG	Policy Working Group
RTAB	Regional Technical Advisory Board
SEPA	Scottish Environmental Protection Agency
SME	Small – Medium Sized Enterprise
SPR	Stakeholder Policy Recommendation
SWMA	Strategic Waste Management Assessment
UNED	United Nations Environment and Development forum
WCA	Waste Collection Authority
WDA	Waste Disposal Authority
WEEE	Waste Electrical and Electronic Equipment Directive
WISARD	Waste Integrated Systems Assessment for Recovery and Disposal
WSUNR	Wiser Sustainable Use of Natural Resources

APPENDIX 5: Qualitative stakeholder views

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

THEME 1: REMOVING BARRIERS TO JOINED UP THINKING, WORKING, OUTCOMES

1.1 Adopt an outcomes based approach

Q3: Improvements

- Factor 4 / 10 – is it based on weight or something else? Should not just be about weight. As Margot Wallstrom has emphasised, we should focus on those which have the greatest environmental impact and risk
- Change 'land pollution' to waste .
- Friends of the Earth supports a long-term goal of 'zero waste' - i.e. aiming to have no residual waste - rather than 'zero mixed waste'.
- Insert "numerical" between "setting" and "targets". Adopting NUMERICAL BASELINES with respect to...

Add 'Justify the scientific basis of specific technologies for a range of available options and classify those technology processes that represent scientifically agreed upper quartile BPEO on a global basis'.

- Need to reduce toxic and bio-accumulative waste, not just mass.
- Prefer a 'resource efficiency' target rather than a waste target. E.g. DTI 'Resource Efficiency Indicators for Business'.
- Need to agree outcomes.
- Still need targets for waste reduction.
- Need to broaden recommendation to social, economic and job creation outcomes, not just environmental outcomes. There are a lot of tools available.
- Needs clarification on outcomes.
- We need to develop specific targets for particular aspects e.g. grouped packaging.
- Important, but hard to get a handle on. We will have to be clear on the outcomes.
- Agree that we need 'an environmental outcomes approach' but we should also emphasis potential win-wins with other policy areas (e.g. economic benefits to be had from designing waste out of production processes) – increasing resource productivity is all about meeting economic and environmental objectives at the same time.
- The key is flexibility. Landfill often offers options over incineration. Government policy needs to reflect the need for flexible local waste management and ensure that local authorities are not tied to 50-year incineration contracts and the need to provide a steady stream of waste to burn.
- Long-term targets have been set. Need realistic targets over meaningful timescales.

Q4: Strengths

- Essential. We need a clear focus in terms of achievable targets and look towards long term planning horizons.
- Monitoring progress essential. Accountability for delivery of outcomes is too diverse at present and also too confused.
- Critical – need to assess targets and policy. 'Waste as a resource' is a social construct and needs to become the cultural norm. It is difficult to alter perceptions, people need to rethink what waste is.
- Keen on long-term targets, which are set at the right time.
- Good, essential, long term goal. We do have some targets for domestic waste, but need more fundamental and joined up thinking.
- Waste strategy makes a good start, but there are potential gaps particularly in terms of a clear action plan on waste minimisation, recycling and incineration and clearer guidance to help local authorities plan for the long term. Instruments also tend to be heavily focused on the municipal sector at the expense of the industrial/commercial sector. Government needs to review policy/economic instruments and targets to ensure the right balance is set to meet EU directives and to tackle the practical, environmental and economic challenges of waste management.

- Agree that waste needs to be thought of as a resource. E.g. although DTI projections stipulate that by 2010 energy from waste will still only account for less than 1% of total energy supply, the potential may be greater particularly if meeting EU targets means more investment in new incineration technologies etc.
- A goal of zero waste is important and we need to put in place policies to achieve this. We need to think in terms of the dynamics, not statically. Adopting an outcomes based approach will be politically difficult at a national level, but not at a local level – the driver will come from the local authorities. Bath and Somerset have been the first local authority to adopt this approach. Long-term targets need to be ambitious – why set targets that you know you will achieve? We need to put in place requirements for minimum standards of service and their frequency.
- It is essential to maintain an outcomes based approach to decide strategy rather than focus on short-term tactics.
- This sits with the Government's approach, which hasn't gone as far as the current European process-based approach. Although there are some outcomes based on toxicity.

Q4: Weaknesses

- Agree, but even if you set targets the problem may be having the policies in place to deliver them. The current outcomes for household waste are so bad that delivery is probably the key because outcome based targets have become meaningless.
- Impact depends on how binding the targets are.
- May take a long time to see any change.
- Target mania can undermine joined up thinking.
- It is very difficult to set targets to tackle the rate of growth in waste. Targets may be a blunt instrument if not carefully thought out.
- Nice idea – but based more on optimism than reality. It will be a lot more difficult to achieve this for waste because there are so many players involved. Sceptical.
- Depends on being able to measure the changes achieved.

Q5: Relevant R&D

- Wales Waste Strategy proposes waste reduction targets
- Friends of the Earth, 1998, *Recycling Works* on waste reduction
- Forthcoming National Resource and Waste Forum project on waste minimisation
- Zero waste approach in New Zealand <http://www.zerowaste.co.nz/>
- Zero waste approach in Oregon, US <http://www.zerowaste.org/>

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

THEME 1: REMOVING BARRIERS TO JOINED UP THINKING, WORKING, OUTCOMES

1.2 Signal a long-term aim to shift waste practice in line with the waste hierarchy

Q3: Improvements

- We also need to look at installation standards (landfill standards and incineration standard).
- Waste practice should be looked in the context of both the waste hierarchy and improved resource use.
- Add at end – 'By specifically defining agreed timetables for the development of integrated budgetary, fiscal and regulatory policies against parameters agreed with a new Green Tax Commission'.
- We need a very assertive approach to shifting current waste practice. We should also look at tackling producer streams and preventing waste accumulation at source. We should push for more waste minimisation
- Add 'put in a policy framework and funding to ensure that...'
- The key is to set a new economic framework, which currently works in reverse to the waste hierarchy.

Q4: Strengths

- Definitely need to lead through policy changes e.g. on Kerbside recycling
- Agree – no strong comments but policy already focussed on this, e.g. lighter key touch for recycling activities.
- Far more important than 1.1. ACTION, ACTION, ACTION! I am more interested in action, rather than waffle.
- Critical because it requires a different paradigm in planning and management. It signals the move from linear to network systematic; policy needs to reflect this. Need to move from facilities to network learning.
- Fully support BPEO and environmental outcome approach.
- Clarity over long-term direction of waste practices is essential. The points made about flexibility with regard to the waste hierarchy at local level/BPEO etc. are also important, particularly given the complexities of the waste issue, the huge range of stakeholders, practical trade-offs with other policy pressures on the ground etc. Progress against the hierarchy is dependent on the inter-play between a number of measures – i.e. there is no point encouraging more recycling through targets if there are insufficient markets for recyclates.
- It is what the Waste Strategy tries to do. It is a good idea to provide a strong signal, but will this signal do anything – we will find out with the Review.
- The Agency advocates the identification of the BPEO with local solutions to move towards resource efficiency.

Q4: Weaknesses

- We already have a shift in practice in line with the waste hierarchy.
- This recommendation already sits within the Waste Strategy, which the Government is signed up to. It is mixed up with BPEO/BPPO.
- Do not agree with waste hierarchy. You can not assume that re-use is intrinsically better than disposal.
- I am worried about local flexibility (which can encourage both good and bad practice) and the potential for ducking out of responsibility of issues.
- No examples of current good practice. The impact of current recycling targets is not yet clear.
- Waste reduction is very difficult to get a handle on.
- Expressed badly – too woolly – will have no impact.
- I am not a huge believer in the waste hierarchy. It is not an economically based concept.
- Too complex for public and businesses who only understand NIMBY stuff.
- BPEO is important, but is often seen as a get out clause, and not in the spirit of BPEO. There will be tension between UK and EU policy.
- 'Signal' – it is all about credibility, this could just end up as a bit of paper. It is a bit woolly, needs to be a believable strategy.

- Need to signal this immediately, but the mechanism will be more difficult.
- This recommendation is very confused. BPEO is a very difficult and misguided concept in waste management. It is very difficult to understand and implement in practice and can lead to abortive work at all levels. The whole point of BPEO is that it is defined locally, which contradicts the idea of Government encouraging the use of BPEO to shift waste management up the waste hierarchy. I prefer to use the term 'sustainable waste management options'.
- Need to ensure that for each waste stream that moving up the waste hierarchy is the best environmental/sustainable waste management option.
- I do not think they refer to the BPPO anymore.
- We have got to be clear that moving up the waste hierarchy does, in fact produce the right outcomes.
- I get nervous about getting too locked into the waste hierarchy. If we define productivity more generally ("total factor productivity"), then some recycling options may not make sense. The labour productivity associated with some seemingly benign waste management options may not be high. Outside a recession (which may of course be coming), it may not mean much to emphasises job creation opportunities. Internalisation of costs and cost transparency is critical in this area where economic perversities abound. That is why the "economic incentives" paper is so apposite.
- The Agency's setting up of WISARD was a big mistake to question the wisdom of recycling and composting. It enables LA's to justify whatever decisions they want to make. BPEO can be the enemy of what is certainly the good of the best option for waste management. The difficulty is getting across uniform messages across the UK.

Examples

- Germans have done this for about 10 years, at least as far as packaging.

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

THEME 1: REMOVING BARRIERS TO JOINED UP THINKING, WORKING, OUTCOMES

1.3 Set recycling and composting targets in line with vision

Q3: Improvements

- National recycling targets should be made statutory. I advocate targets of 50% by 2010 and at least 60% by 2015. Targets should not be limited to household waste but also be set for commercial waste, industrial waste, construction waste, etc. There should also be targets for waste reduction and re-use.
- I am nervous if we are suggesting that the Agency should start setting target figures. I see no problem in suggesting maximisation of recycling and composting, but suggesting actual figures could be troublesome.
- If this goes beyond household waste (it certainly ought to), we will need good information on which to base targets and also provide a basis for monitoring achievement or otherwise.
- We should be sensitive to the impact that recycling targets (esp. statutory ones) can have on the priorities of local authorities. In my experience they can provide a distraction from the preferred course which is helping reduce the amount produced in the first place.
- Add 'Contributing and co-ordinating regulatory impact assessments on the financial costs and benefits in moving to different recycling technologies in logistics and resource processing'.
- Recycling targets need to undergo a CBA.
- I prefer 'effective', rather than 'efficient' recycling.
- A more interventionist approach should be taken.
- We need to reach the 2005 targets before we set more challenging targets.
- Why is "composting" included in recommendation 1.2?
- The 2005 targets have to be met first and can be readjusted. This is only a small part of the overall jigsaw puzzle.
- We need to look at targets for commercial and industrial – not just municipal waste.
- We need specific targets for waste minimisation, building on the EU's 6th Action Programme's waste reduction targets for hazardous wastes.
- Change to 'set higher recycling and composting targets in line with the vision'. The targets have to stretch beyond 2015 to 2025 because of the long-term objectives. We need to stress that the targets are 'a floor', not 'a ceiling' for action.
- It is important that recycling and other policy instruments should be reviewed to help us move closer to meeting EU obligations and to bring us into line with best practice in Europe. We also need a better understanding of waste- its drivers and composition. Around 25% of local authorities may not meet existing recycling targets – whatever barriers exist need to be tackled, incentives set etc. Although local authority recycling has increased overall this is less than the continued national growth in waste arisings. Tougher and longer-term national targets may be part of the answer but not the whole.
- We need to remember that there are no risk free waste management options. We need to be open and up front about this fact. As the regulator, we must ensure and communicate the fact that all recycling and composting facilities must be operated at the highest possible standards.
- We have to ensure that the right recycling targets are set for UK, based on the infrastructure, Life Cycle Analysis and CBA.

Q4: Strengths

- Good, more focussed. How do we recognise need for interaction between policy, e.g. market development?
- The structures exist to allow this.
- New targets will stimulate action.
- There is no doubting that recycling targets should be higher.
- Got to maintain a vision for a zero-waste society and have targets to reflect this.
- The long-term targets are too low. The short-term targets are too high.
- Challenging targets are essential, but local authorities need to be given the resources to meet them, otherwise LA's will find the 2005 targets difficult to meet. I agree with making 'efficient

recycling the social norm', but the Agency does not support recycling beyond the environmental limit.

Q4: Weaknesses

- I agree with holding recycling as the social norm, but this will not necessarily come about by increasing recycling targets.
- Social norms for recycling will only be effective if people have the opportunity to behave differently. So this is important, but the converse is the segregated collection schemes as indicated in 2.3.
- This recommendation is too hung up on process – it does not sit well with recommendation 1.1. I am worried about the prospect of continually moving targets. Recycling is only ok up to a point for environmental outcomes.
- We should not forget that the ultimate BPEO is waste reduction. We are in danger of losing sight of the need for waste minimisation.
- Challenging targets are essential. But we will get there through culture change rather than massaging the figures. Need to link setting of targets to building understanding so that 'efficient recycling can become the social norm'.
- The language in this recommendation is difficult to understand.
- Recycling still perpetuates production. Re-use is better.
- The recommendation needs to define 'international best practice'.
- The problem with targets is that nobody has ever hit them. We need to see if people will hit the present targets before we set new credible targets.
- Recycling may not necessarily be the best option for local waste management. There is an inherent contradiction between Government policy for recycling and composting targets and local authorities carrying out BPEO.
- I do not agree with setting new targets until we know how far we have got with the existing targets.
- There is huge disagreement over what constituted international best practice.

Q5: Relevant R&D

- DEFRA International recycling experience study gives good practice.
- Friends of the Earth, 2000, *Memorandum to the House of Commons Environment, Transport & Regional Affairs Committee - Examining the effectiveness of policies in the Waste Strategy 2000 for delivering sustainable waste management*.
- If we are brave enough to start setting figures, regard should be had to the work that Helen Pavlou (Thames Region) is doing on the basis of recycling calculations that give rise to the figures attributed to countries in the EU. I am not aware of any firm conclusions as yet but understand that all need not be what it seems with some of the often-quoted figures from European nations.
- R&D is needed to examine how we ensure that people will participate in recycling (through education/voluntary/mandatory/charging?).

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

THEME 1: REMOVING BARRIERS TO JOINED UP THINKING, WORKING, OUTCOMES

1.4 Consider value of single waste management authorities

Q3: Improvements

- The resulting authority could be called a 'waste minimisation authority' to send a strong signal that waste should be reduced. This type of authority could not only look at household waste but should also oversee issues surrounding commercial and industrial waste.
- Add 'Regular publicly available information should be made available with regard to failures by waste disposal authorities to create waste plan strategies, which is incorporates into any future Best Value initiative developed by the Audit Commission'.
- This recommendation should be implemented in conjunction with making waste authorities charge for disposal of waste.
- Single waste management authorities should be small enough for people to feel ownership of them.
- Whole system change is needed to introduce different ways of working not just restructuring.
- We don't necessarily need single waste management authorities, but need to encourage more collaboration between existing authorities. The recent announcement of £140 million for recycling includes specific bid criteria, which encourages collaboration between recipients on delivering outcomes.
- This is only applicable to England. I would be worried if WDA's became large regional authorities. The creation of smaller authorities may be better than large authorities for the collection of waste.

Q4: Strengths

- There has to be a direct link between the generation, collection and disposal of waste. There are plenty of examples of good practice to emulate.
- This proposal should simplify the delivery of strategy.
- A degree of joined-upness in policy making needs to be introduced.
- We need consistency throughout the systems and reporting to a national waste management authority.
- This might happen anyway. Otherwise there will remain a disconnection between waste disposal and collection authorities with WDA's pushing for incineration.
- Agree there are problems with existing split of arrangements between WCAs and WDAs e.g. recycling credits are paid from WDAs to WCAs and do not reflect the marginal costs of collection. Credits should be payable to third parties to help community recycling schemes etc. Waste Strategy 2000 is looking at this area.
- Single waste management authorities will help iron out the difference between the objectives of collection and disposal authorities.
- There is a potential conflict between the WCA and the WDA as recycling credits given to the WCA by the WDA are an incentive to recycle but not to reduce waste.
- Some of the mechanisms for recycling credits would have to change.

Q4: Weaknesses

- I am not comfortable with this, as the competencies are different. The key is introducing proper market incentives as suggested.
- Single waste management authorities may not necessarily be more efficient in terms of environmental outcomes.
- I am concerned about a lot more authorities being responsible for WDA role.
- The recommendation lacks explanation to make a good case for single waste management authorities. The recommendation is poorly expressed, although I agree with general idea.
- There are two policies contained within this recommendation. I prefer the introduction of single waste management authorities over the payment proposal. We need to link waste management and disposal to waste production.
- We are better off with the current competition.

- I don't understand this. The current infrastructure works reasonably well. The big issue is the separation between waste collection and disposal. We need to encourage more reform of local authorities.
- The Government is considering this, as indicated in Waste Strategy 2000.
- Need evidence to prove that single waste authorities are better.

Q5: Relevant R&D

- House of Commons Environment Transport & Regional Affairs Committee, 2001, *Delivering Sustainable Waste Management*.

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

THEME 1: REMOVING BARRIERS TO JOINED UP THINKING, WORKING, OUTCOMES

1.5 Parallel track environmental and planning permits

Q3: Improvements

- Local waste strategies must be agreed before parallel tracking is implemented. It is also important that there are incentives to allow options at the top of the waste hierarchy to be adopted, otherwise, the parallel tracking will be seen as a fast track for incineration.
- I agree with the sentiments expressed in the recommendation, but it would be better to say that applications should be made at the same time and the processes run in parallel. Determination is – in effect – the end of the process.
- Add at end 'There should be a presumption of approval of licensing permits for particular technologies agreed as upper quartile BPEO on an international basis'.
- Delete "should" insert "must" or "will". It is already an option but not often done due to p.p. being major hurdle. Against overall project time for a MWI (say 7 yrs) the gain is fairly modest.
- There should be better information and less scare-mongering.
- Need discussion about plans for waste disposal with public consultation.
- Need clear national planning guidelines, set locally, which could free up problems associated with NIMBY.
- Has to be done through statutory requirements to force operators.
- Needs to be a broader approach.
- Second sentence: change to 'all waste management facilities'.
- Fine, after appropriate targets, objectives and people have been put in place aiming up the waste hierarchy, otherwise this could be seen as a way to get incinerators through quickly.

Q4: Strengths

- Allows the possibility of cross-linkage, which is essential.
- The current system is a total mess from the point of a developer. A one-stop shop would be more efficient and produce a greater variety of waste facilities.
- Yes, I agree, otherwise there is a risk of wasting Agency resources, a lack of coherency in meeting the Vision and we could end up with a fragmented approach. There has to be a direct link between the generation, collection and disposal of waste.
- Would be more transparent.
- Tackling waste problems requires long lead times (e.g. should future waste strategy require new incineration build to meet EU targets, time is short). Planning delays are a huge barrier to developing facilities. Public opposition to incineration may also extend to large-scale recycling facilities in future.
- This would be a powerful thing to do.

Q4: Weaknesses

- The recommendation needs to be more radical to be effective.
- There is a lack of political will.
- This recommendation is in conflict with 1.1. This is a narrow view of open forecasting and is the wrong way to go about it. No examples of current good practice are given.
- A reasonable amount of this goes on already.
- This is not the most significant of initiatives.
- This recommendation is not crucial and could double the risk and cost of the process. Speeding up of the planning process is needed. We need to be able to deliver waste management solutions in a shorter timeframe, the system needs to be more flexible so that we are not locked into a system of 'predict and provide'.
- This recommendation is not phrased well. In its own right, this recommendation would not have much impact, although it recognises an important issue and problem.
- This is only part of the bigger picture presented in recommendation 1.1.
- I am not sure that this would make much difference.
- I am not convinced that incinerators will crowd out other waste management options.

- This system will benefit the Agency and the applicants more than the public and existing systems.

Q5: Relevant R&D

- Some planning policy review is being done at DTLR.

Examples

- Germany experienced real problems with its 'predict and provide' panic approach to waste. They built so many incinerators in 1980s and early 90s that they now have to import waste from Italy.

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

THEME 1: REMOVING BARRIERS TO JOINED UP THINKING, WORKING, OUTCOMES

1.6 Take further action on fly tipping

Q3: Improvements

- Add 'Allow the impounding of operator assets'.
- Duty of Care needs more rigorous interpretation. We may need to legislate changes. Quality control guidelines are needed, in the form of an ISO standard, for instance. There is also the matter of enforcement.
- The recommendation needed to specify the remit of the proposed Environmental Crime Intelligence Network.
- We need to get rid of loopholes, tackle the legal framework and provide positive incentives for recycling markets (e.g. tyres), otherwise the measure would only make a superficial difference.
- We have got to take into account and be realistic about potential increases in fly tipping as a result of the Producer Responsibility Regulations and End of Life Vehicle Directive.
- Intelligence will be focussed on commercial scale illegal waste activity – not minor fly tipping.
- I would like to see more evidence of working e.g. a regional pilot. Fly tipping needs to be tackled as part of the 'Liveability' agenda and Neighbourhood Renewal.
- First we need to find out scale of fly tipping e.g. where it occurs. Data collection between the EA and LA's is needed on the types of materials involved and the costs of clearing them.

Q4: Strengths

- This recommendation would make a big difference if it is funded.
- The Agency would raise the profile of fly tipping through imposing fines.
- I agree that magistrates should do more.
- The intelligence network sounds like it will do more than it would. Large fines will provide the necessary deterrent.
- It depends on how much fly tipping occurs. This will become more important as the cost of waste disposal increases.
- We must make responsible waste management more expensive, although this will increase the amount of fly tipping. This is important for implementing the Waste Strategy.
- Magistrates/Agency have had some success. There is room for the Agency to look more widely at environmental crime.
- A number of local authorities already face more public pressure to tackle fly tipping and other visual environmental problems than traditional waste issues. There must be a number of good practice examples of how these problems are being tackled to disseminate more widely.

Q4: Weaknesses

- Incongruous. This is not as strategic as other recommendations. This is a good example of how disjointed Government thinking can go wrong.
- There is a lack of public knowledge about other options, rather than intention to commit a crime. We need to address public awareness of alternatives e.g. local authority collections of household items.
- This is clearly important, but not an over-arching strategy.
- Why is this in here?
- This recommendation could encourage continually increased fines. The driver should be environmental protection rather than money.
- This recommendation was identified as being an 'incongruous issue' at the workshop.
- Interesting, but I am not sure how it fits in. We could be losing waste that could go for recycling or incineration. This is a litter problem and a separate amenity issue.
- There is some marginal benefit in this, but it will only be applicable to England and Wales.

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

THEME 2: COMMUNITY ENGAGEMENT AND CULTURE

2.1 Take a participatory approach to waste decision-making

Q3: Improvements

- The requirement to have a participatory approach should be made statutory. It should be made clear that the notion of 'environmental quality' includes improved resource use.
- I am comfortable with *certain* stakeholder consultation. We need to actively engage with all players on high level issues and accept responsibility for those issues.
- Although a participatory approach is essential to any policy change, guidance needs to be set down and adhered to.
- We need to accelerate learning from good practice case studies.
- We need R&D to see how effective these processes are – to find the best techniques.
- We need another recommendation about what needs to be done in order to stimulate and inform the local, regional and national debate to make informed judgements.
- The Government has the ideal opportunity to extend the Agency's role to encourage a participatory approach to waste decision-making through the FMPR, Spending Review 2002 and Section 4 Guidance. However, we have still got to make local and regional authorities responsible for the waste they produce.

Q4: Strengths

- Good practice available to follow.
- This will have a fundamental effect if done properly. It could be done without changing the system as such.
- This recommendation stretches a long way from where we are at the moment, and needs to put it in the right framework.
- Developing local and regional waste strategies to link in with the planning system will take time. Changing behaviours and attitudes to waste – in industry and households - is also an important longer-term goal. Mixes of taxation, incentives and public education will all play a part.
- This will be easier if we have simple messages to communicate. The benefit of public participation is that public opinion seems to go for the best environmental outcome.

Q4: Weaknesses

- Public participation can slow down the process and encounter more adverse reactions.
- Participating agreements often fail to deliver outputs. Decision boundaries need to be grounded in reality.
- Unnecessarily wordy. See wording of recommendation in Waste Summit '10 Point Plan'.
- The recommendation doesn't encompass the need for waste prevention.
- I think that this recommendation is specific to computer modelling and whoever owns WISARD.
- We've got to get people involved, but I doubt how many people will. We need a broader strategy.
- Great, but people don't want these things. This recommendation doesn't address the need to move on the debate and the need to educate, inform and involve people. BPEO is often not used as a consultative process. More important is that BPEO findings and computer models (i.e. WISARD) should be set alongside other considerations. Information needs to be presented in the context. We need to properly equip people to make judgements.
- Taking a participatory approach to waste decision-making will impede efficiency.

Q5: Relevant R&D

- Judith Petts has done major research in this area.
- House of Commons Environment Transport & Regional Affairs Committee, 2001, *Delivering Sustainable Waste Management*

Examples

- Could you add the RTAB into the groups involved in the EoE example of good practice?
- There are probably better examples outside the UK, e.g. Seattle.

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

THEME 2: COMMUNITY ENGAGEMENT AND CULTURE

2.2 Broaden membership of RTABs

Q3: Improvements

- Involvement of stakeholders should be made statutory.
- Remember that the RTABs do report to the Regional Assemblies and that it is nominated local authority members who determine the membership. They may be "technical" groups, but their democratic credentials are far better than the Environment Agency, for example. I feel we need to be careful preaching democracy to others while we remain one of the least accountable bodies involved. Having said that, I agree with the sentiments that the RTAB should involve a wide stakeholder group in its deliberations. This need not be through membership, however, with the risk of making the bodies too big, but rather through other means (eg EoE process).
- The key issue is effecting stakeholder involvement to prevent the exclusion of NGO's and require them to include a facilitator with experience in participatory approaches.
- The point is that they need to consult properly.
- The decision should be made at a political level, with technical expertise kept separate, although with communication between technical and political groups.

Q4: Strengths

- The more representative they are the better, in order to avoid predominance of vested interests. We may need to provide incentives to encourage ordinary community membership or use focus groups.
- I agree, it is important that they are fully representative – we've got to work through stakeholders.
- Narrow membership can distort the decisions made.
- RTAB's are stacked full of disposal people. This is better done at a local level.

Q4: Weaknesses

- Are RTABs successful? They need further evaluation. There is too much political game playing.
- This recommendation is too narrow in scope.
- RTABs are "technical" advisory bodies. I am not sure that broadening membership to non-technical organisations will help. Regional Chambers need to be representative of local communities. The problem is that democratic structures are no longer viewed as representative of the local community.
- Good idea, but I am not sure how effective this would be. We should focus more on recommendation 2.1 – the bigger picture (a broad participatory approach). It is easy to assume that RTAB's are the 'be-all-and end all' – when they are only one link in the chain. They won't be determining what local authorities do.
- Not exciting enough.
- I don't agree. RTAB's need to act in a consultative way when assembling and approaching options. Criteria for assessment also needs to be defined in a consultative way.
- This is a sub set of 2.1 and is easy to do. But it is wrong to overestimate the role of RTAB's – they are only there to advise.

Comments

- I would argue that Agency experience of stakeholder engagement is patchy.

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

THEME 2: COMMUNITY ENAGEMENT AND CULTURE

2.3 Promote kerbside collection of household waste

Q3: Improvements

- Recycling and composting rates of packaging waste can be made much higher.
- A local authority should only be awarded Beacon status if it provides kerbside household collections to all households in its area. There are already several examples of good practice in the UK (see Friends of the Earth's *Recycling in Action* report).
- We need to look at a CBA to compare different options.
- 'Promote' should be changed to 'enforce'. People should pay for waste disposal, not just segregation, and should be charged if they do not segregate/recycle their waste.
- We need to increase householder's understanding of impact of their waste and the waste hierarchy.
- It is not just about changing 'hearts and minds', we need the right set of incentives.
- This needs to go hand in hand with public education about sorting waste effectively, before you introduce collections. Need R&D to investigate how to implement it.
- We need an education programme and consultation to find out what services people want and will use.
- 50% is too low. We should aim to cover 80% of households with kerbside collections. Why can't it be 100% in urban areas?
- We need graduated targets for rural areas and a time scale to reach 50%, e.g. by 2005. It has been shown that 40% of households have access to kerbside/central bring facilities. Yes, we need to promote kerbside recycling, but we should also be introducing mechanisms to increase participation in existing facilities.

Q4: Strengths

- It's a simply action, good practice and should be enforced.
- Needs to be more widely available. Good way of engaging community in a front line approach to waste management.
- This would make a quick difference.
- So long as recycling and composting are the BPEO locally.
- Approve of the Beacon Council proposal.
- I am very keen on source separation for engaging people in waste issues.
- Action may take time to get underway, but there are existing mechanisms to encourage good practice – eg Best Value regime. Encouraging householders to be more environmentally aware, to sort their waste and participate in kerb-side collections will be key to the success of this measure.
- This has got to be done in the short term to meet Best Value and Strategy targets.

Q4: Weaknesses

- This recommendation is hung up on process rather than the outcome. Kerbside collection/recycling is not necessarily the best option. The wording of the title needs changing.
- The environmental impact of recycling trucks should be compared to householder travel to central collection point is unknown.
- This is happening already.
- I am unsure about inclusion of Beacon Council Status in the recommendation. It is more logical to hypothecate money from the Landfill Tax Credit scheme. I am also concerned about using a stick approach.
- There is an assumption made that kerbside collection is the only way. We need to promote recycling in general – not just one system.
- Kerbside collection won't get local authorities through the follow-on targets - to do this, composting and waste minimisation really need to take off. There will be no point in continuing to collect materials if there are no markets for the recyclables. It has got more to do with producing a culture change and product design.

Comments

- Has to be funded by Government or by households.
- Need R&D into practicalities of systems to suit different households and what incentives they will need to encourage participation in schemes
- The Beacon Council Status idea is a red herring.

Q5: Relevant R&D

- Look at R&D by Community recycling network, Wastewatch, and SWAP
- Friends of the Earth, 2001, *Recycling in Action*
- Friends of the Earth, 1998, *Recycling Works*
- Barton et al., 2001, *The Millennium Recycling Scheme*
- Scuola Agraria del Parco di Monza: Composting scheme in Italy
<http://www.monzaflora.it/html/home.php3>
- House of Commons Environment Transport & Regional Affairs Committee, 2001, *Delivering Sustainable Waste Management*
- There is currently discussion with No. 10 about revision of recycling targets.
- Vienna municipality example of good practice – collection and separation.

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

THEME 2: COMMUNITY ENAGEMENT AND CULTURE

2.4: Improve access to data

Q3: Improvements

- Legislation should be amended so that the pollution inventory includes non-IPPC processes. Legislation should also include data on commercial and industrial resource use and on the destination of commercial and industrial waste. The onus to provide the information should be on the producer.
- Add at end 'As part of the strategic development of a national materials flow database for gaseous, solid and aquatic materials in the economy'.
- We should be clearer on the quality and accessibility of information, and provide contextual information.
- We already have sufficient data, but nobody looks at it. Improved presentation of data would be more valuable. The format of the data presented on the Agency's web site needs to be changed for public consumption. This recommendation needs to be broader and more carefully thought through.
- Emission's reporting through IPPC needs expanding to include general resource consumption of those industries.
- The data should be simple and straightforward.
- Need to make data provision simple and accessible. Recommendation should be broadened to encompass wider issues, not just emissions.
- It would be nice to see this linked to liability – as long as the Agency is prepared to fine people £20,000. The EU has liability legislation pending. We should seek to influence corporate share values.
- The bigger issue is about the quality of data, which would enhance understanding if done well.

Q4: Strengths

- The Government is already committed to improving access to data.
- We already have a more comprehensive emissions register than the US.
- This should help immensely with encouraging participation and building trust.
- Any improvement in access to data is good for raising awareness.
- I agree, we struggle with getting good access to data because industry is very guarded about their impacts. This will change the culture of industry.
- General access to information about emissions of waste treatment plants may become increasingly important if more build is required.
- We can't produce BPEO strategies without the data to show people what has been done. There is so little resources available to improve data systems. We need real improvements in the quality and availability of data.

Q4: Weaknesses

- This may be a long term option due to legislative process. Voluntary agreements may be a more short term option, but may not be as comprehensive.
- The US system will not necessarily make much difference. The public has access to a lot of information anyway. We need to let people know what is already available. We need to recognise the potential logistical burden on the Agency, local authorities and businesses.
- There will be inevitable problems implementing this recommendation. It's success depends on the complexity and how engaging the process will be.
- I thought we did have good access on emissions via registers and increasingly by Web – it just needs expanding on Web. It is not clear that reducing air emissions leads to overall waste minimisation. Sometimes just a transfer – need information on mass balance and the level of hazardousness of emissions.
- We need evidence of how significant a driver it has been for waste minimisation. We can look at the Toxic Release Inventory and 'Community Right to Know'. Aarhus Convention has implications for this. We could look at the number of hits on the FoE Factory Watch site to see how motivated people are to find out more information.

- Already have the Pollution Inventory.
 - I don't think that the public would directly benefit from more access to data.
 - I would question whether this drives better practice.
-
- There is already data on the web, through the Freedom of Information Act and other legislation.
 - We already have the EA Pollution Inventory. There is a need for greater knowledge about waste, but I am not sure if this is the right angle.
 - Other legislation is not necessary.
 - We need R&D to see if this statement is true.

Q5: Relevant R&D

- Friends of the Earth, 1999, Access to Environmental Information bill.
- Aarhus Convention on access to information, public participation and access to justice in environmental decision-making came into force on 30/10/01, the UK has yet to ratify the convention. The Convention seeks to strengthen the role of members of the public and environmental organisations in protecting and improving the environment for the benefit of future generations. Through its recognition of citizens' environmental rights to information, participation and justice, it aims to promote greater accountability and transparency in environmental matters.

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

THEME 2: COMMUNITY ENGAGEMENT AND CULTURE

2.5 Ensure a transparent process for incinerator monitoring

Q3: Improvements

- This recommendation should make clear that a broad range of pollutants needs to be monitored.
- I presume you mean to say "emissions" rather than "pollution"? I would also suggest that we don't single out incineration. Yes, it has potential/actual problems but so does everything else that manages waste. Remember there is no no-risk waste management option. There are good reasons why the Agency / local authorities regulate all waste management activities to prevent/minimise pollution and harm.
- Line 1 - change "pollution" to "emissions". Change "MSW incinerators" to "controlled waste processes handling more than "specified tonnage".
- We need to bring monitoring of other waste facilities in line with the standards of incinerator monitoring and identify the risks associated with other processes.
- Change 'pollution' to 'emissions'. We need a transparent process for monitoring on every industrial process – not just incinerators. Should be run in tandem with 2.4 and 2.1 (improved access to data and a broad participatory approach).
- I agree, but continuous monitoring is not technically possible for real time information. I would support more monitoring of incinerators. We need to balance providing more information with building public trust. We also need to improve the way we monitor in order to build public confidence.
- This needs to be done in combination with building public trust, we can't solve it just by continuous monitoring.
- Transparent monitoring should be extended to all industrial sites and be compared to other environmental impacts, e.g. ambient air quality monitoring of traffic jams.

Q4: Strengths

- The recent change in legislation means that a lot of incinerators are monitored.
- I agree this is helpful. Real time local air conditions are displayed in local authority offices from Castle Cement – this may be of more value if site is in heavy industrial area. The view is different from the photos, I've seen more public passing.
- This is a useful and really interesting tool. There are a number of different applications for that. But is this central/core to policy or a peripheral recommendation?
- It's all about building trust. In order to build trust we need no accidents for 20 years, the process of transparency isn't enough. Transparency by itself doesn't reveal anything.
- This would be very good PR for the EA. It links with the Quality of Life framework for change.
- This will become more useful as incinerators become more common. We need to tackle perceived fears more than risks.
- I agree. Incinerators risk turning into a 'GMO-style' issue, where people just don't want them because of the way it has been dealt with, rather as a result of the actual environmental impacts. This can be implemented when permits are reviewed.
- Another good proposal. If it helps to build public confidence it may lead to fewer planning objections.
- Needs to be done immediately.

Q4: Weaknesses

- Not sure how radical this is?
- There is already a transparent process for incinerator monitoring. Incinerators are the most tightly regulated industrial process in the UK, with the highest monitoring requirements.
- I'm not convinced. I don't think this would change attitudes – we already have the technology.
- There is already continuously monitored of incinerators, except dioxins. I don't think the Agency has the power to suggest this, although it maybe good PR for the industry.
- I doubt whether people would understand the data.
- It is far better to educate public in other ways.

- Why would we want to monitor things that we would rather not have? The UK and Ireland is being used as the last market for incinerators. What's the point of having a regulator if people are not punished?
 - It is difficult to say whether this will build or destroy public trust.
-

Q5: Relevant R&D

- Judith Petts may know of research (e.g. looking at other countries) in this area.
- Continuous monitoring already exists in Germany (see Evidence submitted by Robin Murray in House of Commons Environment Transport & Regional Affairs Committee, 2001, *Delivering Sustainable Waste Management*).

Comments

- It is worth committing to R&D and exploring transparency over incinerators with stakeholders.

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

THEME 2: COMMUNITY ENGAGEMENT AND CULTURE

2.6 Engage in public debate on health risks from waste management facilities

Q3: Improvements

- This needs to be broadened to include other stakeholder groups – not just EA and the Department of Health.
- Information given on waste management options should include resource use issues, not just pollution and health effects. Any information on health should be put in the context of local factors, for instance location of schools and hospitals, and background pollution. There should be a statutory health impact assessment as part of the IPPC application.
- Delete at end 'low enough ... debate' and insert 'accounted for within the context of a Green Tax Commission'.
- Recommendation needs revision. Stakeholders should include DEFRA, in addition to the DoH. More information should be available on the general 'health aspects' – rather than 'risks' – sounds too negative, particularly as its effectiveness is based on public perception.
- I agree, subject to recognising the Agency's locus/role – the Agency does not have health expertise. We need to be careful about how we use and abuse health information. The Agency needs to work in partnership with other organisations, be pro-active and be careful of stirring up higher expectations that those we can deliver on.
- Why just waste facilities? Any risk from focus on waste facilities?
- We need to make the information 'real' by providing comparisons with the risks of other activities otherwise people will lose sight of the relative risks e.g. getting run over by a lorry. People need to see the risks in perspective.
- The information pack should be sponsored by a stakeholder board to include civil society.
- We need to widen the recommendation to other environmental issues e.g. air quality and transport and compare the associated risks.
- Must rely on the DoH for toxicology information. Agency should avoid becoming the arbiter and should contrast the risks between different waste management facilities – not just incinerators.
- We need to relate risks to other risk and put them in context.
- It is important that the public understands the relative health risks of waste management facilities and are educated about the national need for a review of facilities. This proposal could form part of a broader public awareness campaign about the need to minimise, reuse waste etc. It is important to tackle any misconceptions fostered by the media.
- The recommendation should explain and simplify the term 'social amplification'. This should be linked with the planning process, as perception of risk is a material planning consideration.

Q4: Strengths

- Links to social amplification of risk are key. It is essential that a wide range of stakeholders are involved, not just the Environment Agency and Department of Health. A steering board could be set up.
- Health is *the* major issues in waste management as far as I am concerned. The Agency should take a view on this.
- This is a positive step in the right direction.
- More work is needed on how we communicate risk and need to communicate openly and objectively.
- So much information is needed in order to understand the likely risks.
- It is right for the Agency to engage in public debate on health risks and has an important role in acting as an authoritative voice on the subject.

Q4: Weaknesses

- The public are still more likely to believe FoE over the Agency.
- Engaging in public debate won't persuade anyone. This is a laudable aim, but the recommended process will only confirm the public's right to be worried. People are incapable of dealing with information dispassionately. This deals with the involuntary risk.
- I am not sure if this is a strategic, long term policy or a one off project by the way it is phrased.

Q5: Relevant R&D

- R&D needed to link exposure to health impacts and not just risk.
- Need R&D to evaluate the unknown risks and uncertainties, which is what turns it into a social/protest issue.
- Need more knowledge and information on the health risks. This R&D is in the pipeline with epidemiology studies.

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

THEME 3: ROLE OF ENERGY FROM WASTE

3.1 Pre-separate valuable and potentially hazardous materials from incineration

Q3: Improvements

- We believe that incineration, if used at all, should only be used for non-recyclable non-compostable (i.e. residual) non hazardous waste rather than 'valuable and non-hazardous'. Newsprint, for instance, is not particularly valuable but its recycling is important for reducing deforestation and habitat loss. As for specialist incinerators, we can see the argument for co-firing of recycled paper residues in recycled paper mills, as needed.
- Add in title "and sewage treatment". Add "pesticides and insecticides" to line 2. After "incineration" in line 3, add 'and causes end life management costs of these products to be cross-subsidised by utility charges'. After "reliable" put. and last sentence as 'single or low risk co-mingled streams of material (e.g. small scale specialist incinerators) should be viewed separately from large scale mass burn units handling 60,000 tonnes p.a. or more'.
- Promote 'dedicated' incinerators. Incinerators should not be seen as depositories for waste too difficult to separate – balance needs to be struck with role of incinerators as separation come with its own risks. It may be safer to leave some wastes combined.
- Whilst sensible, I would not want design standards of clean up systems downgraded due to an expected cleaner feed. Some reclaimable materials, e.g. solvents, may be needed to incinerate some hazardous materials for which inc. is BPEO. This policy is therefore confused.
- This recommendation should be extended to 'incinerate only what we can't recycle'.
- I agree strongly – but not just for incineration, but for meeting the requirements of the Landfill Directive and general environmental protection. Would substance bans be more effective?
- Facilities should be provided at civic amenity sites.
- This should be implemented in tandem with delivering 2005 infrastructure and be based on an evaluation of what is hazardous waste and the priorities for taking those materials out of the waste stream. This is a role for the Agency.
- It is important to ensure that incineration does not crowd out other options higher up the waste hierarchy. Limits set on % of waste streams going to incineration might help. Investment in alternative technologies e.g. pyrolysis may be a possible way forward.
- This is not very clear. Change to 'materials before incineration'. This should be about reducing the amount of incineration.
- The Holy Grail is a non-constant through-put of residual waste. This recommendation needs rephrasing to make clearer that energy from waste is a last resort. We need to make clearer that recycling is the better option. We need to separate out the low-calorific materials by minimising sunk capital.
- Unless we use economic instruments, we will need primary legislation to implement this.

Q4: Strengths

- Agree with any approach to pre-separation.
- This is important for supporting accountability of energy from waste. Pre-separation will happen under the Hazardous Household Waste Directive and the Batteries Directive.

Q4: Weaknesses

- Interestingly. Isn't the Aylesford Paper Plant one of the largest sources of dioxin release in Kent? I could be wrong, but I thought it was. Specialist incinerators are a great idea but they need to be as tightly regulated as their bigger and more hazardous counterparts.
- The Government doesn't promote incinerators – full stop. We haven't gone as far as the EU 6th Environmental Action Plan to have targets. There are more important upstream processes to focus on.
- There are two separate points here which lessens the impact of this recommendation.
- Badly thought through, change the wording.
- This recommendation pre-supposes that there is a problem. The only cost effective way would be to get local people to do the separation. This requires capital investment and the local authorities on board.

- I am worried about the practicalities and cost.

Q5: Relevant R&D

- This is already happening at Aylesford & Shotton. They have CHP too. Aylesford may have policy relevant research.
- See the European Commission's report on hazardous waste.

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

THEME 3: ROLE OF ENERGY FROM WASTE

3.2 Signal that small incinerators are preferred

Q3: Improvements

- The statement should be re-phrased to 'incinerators should be appropriately sized and located to avoid undermining options higher in the waste hierarchy - including recycling and composting'. We believe that before any incineration is considered, recycling and composting should be maximised to take at least 80% of the waste. If an incinerator needs to be built, the volume of non-hazardous residuals - i.e. hazardous waste and materials giving rise to hazardous emissions and residues need to be removed - and the proximity principle should determine size. Given this, incinerators are unlikely to be taking over 50,000 pa.
- I absolutely agree with the sentiments expressed in this recommendation. However, I am nervous about suggesting a maximum figure of 100K. Remember that we may have to defend these statements in a public inquiry setting. A little more flexibility would be helpful.
- Amend "100,000 tonnes" to "80,000 tonnes" and add at end 'fuelled by pre-sorted materials subject to last resort management where recycling and re-use does not represent an acceptable BPEO'.
- The priority should be to change public attitudes.
- Infrastructure and policy changes are required. Do we understand the benefits? We need better data and R&D.
- I disagree with the 100, 000 limit. We should signal the need for 'small' incinerators, but not provide an upper limit. The decision on the appropriate level should not be arbitrary. Local authorities should decide depending on local circumstances, so that local communities take responsibility for their own waste. This recommendation is risky. The Agency doesn't have the powers to decide the size of incinerators; this has to be tackled through the planning system.
- A balance needs to be struck to ensure that the size of the incinerator suits the area it serves in order to signal to the public that the incinerator is there because of the waste they have produced. 100,000 tonnes is too rigid a level. There is a difficulty with the economic viability of small incinerators.
- We need to encourage community ownership and involve people who are normally excluded.
- I am unsure about this recommendation. We need to look at the proximity principle rather than a 100,000 tonne limit.
- It should be left up to local decision making – we should not be prescriptive. We need more R&D to encourage the development of technologies for small incinerators – so that we can make them an attractive option.
- Change to 'Signal that small incinerators are preferred to large ones. A clear framework is needed for the role of incinerators and what capacity already exists in the UK, and how does this meet demand?'
- Change to 'small energy from waste facilities are preferred'.
- Action is more important than fine-tuning.

Q4: Strengths

- In this way, nobody would have to live next to a large incinerator.
- We need to stop larger incinerators dominating waste management options.
- Smaller incinerators may enable more community ownership. Align with sub-regional sufficiency and proximity drivers. But, the recommended level probably needs to go well below 100k/yr to have real impact.
- I agree with this recommendation so long as this is justified in social, economic, environmental and planning terms.

Q4: Weaknesses

- It may not be possible inside major urban agglomerates / cities.
- Essential, but politically difficult because of the DTI. Best practice is shifting the waste industry towards gasification and pyrolysis.

- I do not agree. The size of an incinerator should be driven by economics. Larger incinerators are better controlled and regulated.
- It may be better to have one large incinerator than lots of smaller ones.
- Signalling is helpful, but a fairly modest proposal.
- Is it not financing and contract length that impacts on competition with re-cycling?
- This may slow things down.
- I don't see the need to actively avoid large incinerators.
- Small incinerators are uneconomic. Signalling won't make any difference, unless you banned a large incinerator – which is similar to having an incinerator tax. We need to do more than 'signal'.
- There is not enough information given on pros and cons of small v large incinerators in this recommendation to draw strong conclusions.
- The impacts of one large incinerator are likely to be smaller than that of two small incinerators. We need to think carefully about this.
- Could the Agency be given the option of rejecting overly large incinerators on environmental grounds? Is there an expectation on the Agency to comment or pass judgement on incinerator size and the environmental impacts associated with it?

Q5: Relevant R&D

- House of Commons Environment Transport & Regional Affairs Committee, 2001, *Delivering Sustainable Waste Management*.
- Friends of the Earth, 1998, Response to *Less Waste, More Value*.

Comments

- Why choose 100,000 tonnes per annum?
- Is there evidence that small incinerators compete with recycling?

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

THEME 3: ROLE OF ENERGY FROM WASTE

3.3 Site incinerators to meet local industrial demand for CHP

Q3: Improvements

- Considerations need be made of the fact that major industry is already sited in socially deprived area. If an incinerator is to be built, it should have combined heat and electricity, not simply electricity. Existing incinerators need to be upgraded in order to provide both heat and power. Research in other EU countries has shown that the heat produced by incinerators can provide more energy (55-72%) than electricity (18-35%).
- Revise all to 'Waste technologies with net energy surpluses should be sited appropriately to existing or predicted community, industrial or commercial requirements treated as a whole'.
- We need to also satisfy local supply and where waste is generated to minimise transport and transmission costs.
- Change to 'to site an identified local demand for CHP'. Don't presume that the demand is just industrial. This needs to be addressed at area/local planning meetings.
- We need to be flexible. It depends on the risks from the incinerator. Change to 'site incinerators in such a way to spread the risks and other synergies to meet local industrial demand'.
- This could be made a planning requirement.
- Change to 'local demand for heat and electricity production'. Energy production needs to be planned in such a way that it is associated with new developments (i.e. unlike Cellchip in South London), because the retrofit into existing buildings has meant that CHP has never been used.
- This recommendation needs to go hand in hand with tackling planning and public perception problems.

Q4: Strengths

- This would be a positive move for wider environmental benefits.
- This is in line with gaining a positive outcome from incinerators.

Q4: Weaknesses

- Design options should depend on the identification of local disposal options.
- We do not presently have the required CHP infrastructure in the short term. It also requires integration into the planning system.
- This may conflict with very small incinerators but I agree with the policy for steam, but surely electricity only needs a grid access?
- I wholeheartedly support the concept, but it is badly worded.
- In principle this is right, but should be left to the market.
- This might distort waste policy objectives.
- Depends on picture for small scale CHP.
- Would need planning policy guidance.

Q5: Relevant R&D

- Life cycle analysis in Flanders, Belgium.

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

THEME 3: ROLE OF ENERGY FROM WASTE

3.4 Do not classify energy from waste as renewable

Q3: Improvements

- Outlaw 'give or pay' contracts between incinerators & local authorities, so that local authorities don't have an incentive to 'waste maximise' in order to meet contract obligations.
- Clarify the recommendation to include exclusion of energy from landfill gas from CCL.
- Add at the end 'Additional incentives to improve recovery, such as tradable permits on methane releases should be incorporated into this strategy'.
- Change to 'energy from mixed waste'.
- The classification of energy from waste should be in line with waste hierarchy and only if landfill is the last option.

Q4: Strengths

- I agree. Classifying energy from waste as renewable encourages mass burn. Burning intractable waste should be a priority. We need to send out the right message.
- I agree that mixed municipal waste is not renewable.
- This forms a very important part of the Waste Strategy.
- This puts incineration back in the context of the waste hierarchy.
- This recommendation reflects the fundamental change in attitudes to waste and energy production from burning fossil fuel derived materials.
- Energy from waste is *not* a renewable energy because it makes the assumption that you will continue to generate large quantities of waste.

Q4: Weaknesses

- It won't make much difference in sending out the right signal. Public understanding is already good and doesn't necessarily consider waste as option for renewable energy. We must be careful that it doesn't affect the UK's ability to meet obligations.
- I am not convinced how much of a signal is being sent to public and business about waste as a renewable source. Classification would not change things. This would involve a long and tortuous process.
- I struggle with this concept.
- This is more an energy issue. The result could be an increase in the waste produced. People have not yet got their head around it.
- I support this fundamentally. There is a contradiction between energy from waste and its preference above landfill. We need an 'energy hierarchy'.
- Given the large volume of waste produced, we will not leap to recycling over night. This is a dangerous route to go down.
- I agree with exemption, because at least you're getting some positive value from waste.

Comments

- The EU are adopting the stance that EFW is no longer renewable
- Is the renewable issue still a moving feast both inside and outside the Agency?
- There is an issue of ensuring that the public is not alienated from the Government's Renewable and Waste Strategies.
- There is a need to realign incentives with the waste hierarchy. The Government and Agency should assess how supportive they should be of the waste industry outside the Renewable Strategy.
- We need to know what proportion of the waste stream is plastics.
- I do not agree with the reasons for exclusion of landfill from re-renewable, as methane is from re-renewable sources only.
- Why is gasification and pyrolysis any different from incineration? See the EA draft report on gasification and pyrolysis.
- The Government needs to send consistent messages on treatment of energy from waste. EA's views seem slightly contrary – an earlier recommendation included the importance of viewing

waste as a resource etc. Including only new incineration technologies in the Renewables Obligation would seem the right approach. I agree that the current arrangements *could* effectively subsidise some forms of incineration when this might not be the most cost effective waste disposal method. Definition aside, the important point is the environmental impact of what is being displaced, and it may be that the environmental benefits (or otherwise) of new incineration technologies needs further research.

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

THEME 3: ROLE OF ENERGY FROM WASTE

3.5 Reduce number of landfill sites taking biodegradable wastes

Q3: Improvements

- After "landfill gases", insert 'and accelerate the introduction of capital intensive bio mass technologies which are smaller, more flexible, and capable of tighter management/regulation'.
- This is not very clear. Is it about few big sites –v- more small ones? If so how does it square with the big –v- small incinerator policy.
- With the proximity principal in mind.

Q4: Strengths

- We are already required to reduce the number of landfill sites taking biodegradable wastes by the Landfill Directive. It depends on finding alternative outlets for biodegradable wastes. It should be recognised that some bio waste is difficult to dispose of.
- An important step that needs to be taken forward in conjunction with developing alternative waste treatment options.

Q4: Weaknesses

- Inherent in Waste Strategy for short term
- There should be no attempts to reduce the number of landfill sites taking biodegradable wastes.
- This will happen naturally as a consequence of legislation and economies of scale. Uncertain about the need for the inclusion of this recommendation.
- Last sentence is a cop out ('although')! Will still have to monitor landfill gas. This recommendation will only make a difference to new landfill sites, as there is already biodegradable waste at existing sites.
- Market forces, the Landfill Directive and geological conditions determine the location of landfill sites.
- Reasons for doing this need to be better communicated within the recommendation.
- This will happen anyway under the Landfill Directive. It won't reduce the quantity of biodegradable waste disposed of but will improve the recovery rate of landfill gas.

POLICY WORKING GROUP 1: PLACING RESOURCE PRODUCTIVITY CENTRE STAGE IN SUSTAINABLE WASTE MANAGEMENT

THEME 3: ROLE OF ENERGY FROM WASTE

3.6 Increase R&D into new technologies

Q3: Improvements

- Pilot schemes should be sensitively sited. 'Environmental performance' has to be understood in terms of both pollution avoidance and resource productivity.
- Add at end 'These assessments should be on a mass balance approach in terms of inputs and outputs, and include a capital/revenue financial appraisal'.
- We need to take a fundamental look at the objectives and outcomes that we want from a waste strategy system. We need to gear all elements of Government to these outcomes and join up the policy across the contradictions that exist between Government departments, local authorities and the EU.
- The Agency needs to ensure that R&D is integrated with that conducted by partners, e.g. Government, ESA (Environmental Services Association), and academics. Existing R&D is functional and needs a joined up, holistic approach.
- R&D should be funded by industry. We are already supporting industry through the Renewables' Obligation.
- I believe very strongly in R&D, but there are lots of examples of other disposal routes and alternative technologies already being implement in other parts of Europe which the UK can learn from.

Q4: Strengths

- Any R&D will be a significant step forward.
- The UK doesn't stand up to other European markets in these competencies.
- A lot of fundamental research is needed – pilot and demonstration schemes need more development and financing.
- This would be very helpful. We need to persuade current R&D bodies about increasing the pace and changing priorities.
- Definitely. This ought to be one of the fundamental roles of an alternative/independent waste technologies body/group for providing impartial advice and co-ordinating R&D, otherwise we risk resorting to the tried and tested landfill and incineration options.
- It is important to understand why so little is being spent on alternative technologies for effective waste management and we need to consider if more should be done to develop mature technologies to rival incineration.

Q4: Weaknesses

- We should make better use of existing technologies.
- We must avoid regarding pyrolysis and gas as panacea. Further R&D may find that they are non-economic and not environmental viable solutions.
- Weak recommendation! E.g use of 'may be compared'. Shorten the sentence.
- This should not be an over-arching priority. Do we want a technological or systems-based waste strategy?
- The real issues are waste minimisation, transport and planning.

Q5: R&D

- Info on impacts would be useful.

POLICY WORKING GROUP 2: ECONOMIC INSTRUMENTS AND INCENTIVES FOR WASTE REDUCTION, RE-USE AND RECYCLING

THEME 1: REALIGNING INCENTIVES WITH THE WASTE HIERARCHY

1.1 Develop economic incentives in the context of an environmental strategy

Q3: Improvements

- This has to be much wider than waste.
- The economic instruments required should be developed in the context of reducing waste arisings and improving resource use not just ' long-term transformation of waste management up the waste hierarchy'.
- There is no mention of the prioritisation of targets – this needs to be done in the context of an environmental strategy, enabling the choice of importance and distribution of resources.
- Not just fiscal instruments, but creating the right market structures for price incentives to emerge.
- It is important to work through the proper mechanisms e.g. the Government's Small Business Service – small business litmus test. It's got to be relevant and proportional.

Q4: Strengths

- Economic incentives focus the mind.
- People recognise that developing economic incentives in the context of an environmental strategy is a necessary way of achieving aims.
- Agree – fiscal regime also needed to enable new infrastructure development. Cf. Water industry changes in last 10 yrs.
- Other recommendations are sub sets of this one.
- The most fundamental recommendation.
- We need to be able to side-step departmental spats.
- This is fundamental to shift people's behaviour.
- I strongly agree with the second paragraph (calling for a holistic look at the fiscal regime for waste management). There has got to be an overall strategy, rather than little taxes all over the place.

Q4: Weaknesses

- Subject to political will.
- Revise wording – see Waste Summit Plan.
- Economic instruments aren't everything – they have to be reinforced with other measures.
- I doubt whether this will happen with Treasury involvement.

Q5: Relevant R&D

- Friends of the Earth, 1999, *Foundations for Sustainable Resource Use*.
- Forthcoming National Resource and Waste Forum report on economic and legislative framework of recycling to be researched and written by Dominic Hogg and Julia Hummel of Eunomia.
- R&D needed to look at what effect it has had in other countries
- PIU project on tackling waste will be looking at the need for an economic framework and how we can break the link between economic growth and increased waste

Comments

- Needs to be implemented rapidly to avoid the meandering policy of the past. However, needs to take into account long-term thinking and problems.
- Need to learn from the experience of packaging regulations and incentives.
- Would argue that Government already does this.
- Also need strategy for changing actual economic incentives and instruments.

POLICY WORKING GROUP 2: ECONOMIC INSTRUMENTS AND INCENTIVES FOR WASTE REDUCTION, RE-USE AND RECYCLING

THEME 1: REALIGNING INCENTIVES WITH THE WASTE HIERARCHY

1.2 Reform Landfill Tax into a waste disposal tax

Q3: Improvements

- 'Converting the landfill tax into waste disposal tax': The graduated charges should be defined according to environmental desirability rather than 'environmental costs'. Decision-making should primarily derive from policy rather than cost-benefit analysis as environmental costs and benefits are difficult to evaluate.
- 'Grading the UK disposal tax': Friends of the Earth believes that the lowest rate should be for the disposal of non-recyclable non-compostable non-hazardous waste and not for 'land-filling inert waste' or for 'incinerating separated non-toxic streams with CHP recovery'. Existing incinerators, which convert to source-separation, should not be exempted. Graduation should be made in the context of both resource use and pollution avoidance.
- Suggested price of landfill tax not really providing the incentive needed to encourage waste producers to divert materials.
- Amend "£25" to "£35" and add at end 'in the April 2002 Budget'.
- Reform Landfill Tax into a WASTE (not disposal) tax (tonnage). Waste itself has a cost attached to it, not just the disposal costs.
- Need to minimise any potential impact on business. Important to stress that any money raised must be invested in alternative waste management options and transparency is ensured.
- Need to internalise externalities – should be an externality tax.
- Need a 'waste tax' not a disposal tax. Depends on definition of disposal
- The devil is in the detail. Needs refining to reflect the environmental impact
- This needs framing more clearly and needs to encompass incineration.
- Increasing the tax for landfilling of mixed waste should be over the next 10 years (not 5), when the tax should be increased to £40.
- Need for R&D to understand the environmental cost of different waste management techniques.
- Agree, but we are likely to need some incineration capacity. The Landfill Tax should be increased to between £25 and £40 per tonne and we need to signal an increase to £40 within the next 6-8 years – not 10 years.
- The revenue generated from charging £25 per tonne must be recycled back to local authorities.

Q4: Strengths

- Cost of waste disposal is too low and provides an insignificant overhead for large industrial waste producers.
- The announcement of reform has the more important effect. As a result, people will adjust the way they structure their contracts.

Q4: Weaknesses

- May over-complicate and be difficult for C&E to administer level of tax (£25) may not be high enough.
- Review due in 2004. Don't see any need to do it now.
- Phrasing of SPR
- Don't agree with increase in Landfill Tax necessarily. It is complicated as it is.
- We can't just apply mechanisms used in other countries, this will end in inconsistency. The Landfill Tax Credit Scheme is ok, it is just pitched too low.
- Levying taxes could make it complicated.

Q5: Relevant R&D

- Dominic Hogg has done R&D
- House of Commons Environment Transport & Regional Affairs Committee, 2001, *Delivering Sustainable Waste Management*
- Friends of the Earth, 1999, *Foundations for Sustainable Resource Use*.
- Friends of the Earth, 1998, Response to *Less Waste, More Value*.
- Friends of the Earth/Wastewatch, 2000, *Beyond the Bin*.

Comments

- Check comment about Italy and Flanders
- 'Increasing the tax for land-filling of mixed waste to £25 per tonne over the next five years': 81.9% of waste management industry support an increase of the tax, most of these to at least £25/t (*Materials Recycling Week*, 8/9/2000).
- Got to be considered carefully and examine what works elsewhere and its impacts. Treasury should police all of the contributions to give everyone some influence and allow operators to have some discretion – halfway house system. 100% should be hypothecated and more money should be sent back to the LA's.
- Arguments for raising the landfill tax should be considered in the light of evidence on the level of external costs and any desired change of behaviour. Accompanying policy instruments need to steer those involved towards better alternatives.

POLICY WORKING GROUP 2: ECONOMIC INSTRUMENTS AND INCENTIVES FOR WASTE REDUCTION, RE-USE AND RECYCLING

THEME 1: REALIGNING INCENTIVES WITH THE WASTE HIERARCHY

1.3 Reform Landfill Tax Credit Scheme governance

Q1: Difference

- Important that these funds are diverted and seen to be diverted to the right areas for two reasons - not wasting resources, and not damaging the credibility of the scheme. Medium importance.

Q3: Improvements

- Friends of the Earth believes that the Landfill Tax Credit Scheme should be scrapped and instead the revenue from the landfill tax should be directed as public spending towards improved resource use and waste minimisation, re-use and recycling/composting.
- After "independent agency" inserts 'on which landfill operators or any other single party/group is not a majority'. Add at end, after "independent agency" (second reference) 'Within an agreed strategic framework, publicly accessible, transparently accounted for and with regular analytical updates on the source of funding and allocations'. Delete second point and substitute 'A Green Tax Commission should be formed as an overall umbrella body to provide transparency and strategic direction for the movement of all nationally raised eco-taxation operating in conjunction with the LTCS Board'.

Q4: Strengths

- Agree. It is important to keep the focus of the Landfill Tax Credit Scheme.
- Needs better co-ordination and targeting of schemes supported by the Landfill Tax Credit Scheme, particularly for waste prevention.

Q4: Weaknesses

- This seems to enable 1.4 but no more.
- Not sure of governance is necessarily the problem.
- More bureaucracy. I don't see any benefit.
- An independent agency is an unrealistic proposal, which will result in revenue being lost in administration costs.

Q5: Relevant R&D

- House of Commons Environment Transport & Regional Affairs Committee, 2001, *Delivering Sustainable Waste Management*
- Friends of the Earth, 1998, Response to *Less Waste, More Value*.

Comments

- Bullet 1: Change word 'offset' to LTCS. Bullet 2: Insert 'LF tax used to' before 'offset'

POLICY WORKING GROUP 2: ECONOMIC INSTRUMENTS AND INCENTIVES FOR WASTE REDUCTION, RE-USE AND RECYCLING

THEME 1: REALIGNING INCENTIVES WITH THE WASTE HIERARCHY

1.4 Reform Landfill Tax Credit Scheme priorities

Q3: Improvements

- 'Church roofs etc' would need an alternative funding stream to replace the loss of LTCS.
- Incinerators a major problem for local communities. Therefore, if there was a waste disposal tax, some of this should go to addressing local community needs.
- All landfill tax revenue should go to projects aiming for improved resource use or for waste minimisation, re-use and recycling/composting of municipal, commercial and industrial waste (e.g. Environmental technical best practice programmes advising businesses).
- The issue is the minimisation of externalities – not waste minimisation.
- We need review, rather than reform of the system – otherwise we are prejudging the outcome.

Q4: Strengths

- The Landfill Tax Credit Scheme is not achieving its potential impact at the moment.
- Definitely a need to look at where the money goes.
- Already happening.
- It is important to help local authorities meet their recycling targets, but depends on the allocation of resources, particularly for poor performers.

Q4: Weaknesses

- This compromises the wider priorities for sustainable development. We can't be seen to be putting too much towards resource efficiency.
- Risk of turbulence to other environmental projects benefiting from LFTCS, e.g. conservation. Agree with policy but can see it having a rough ride.
- Part of Waste Strategy already.
- Be consistent with the language used – 'waste prevention'.
- It would be a shame if the rug were taken from under the feet of community schemes.

Q5: Relevant R&D

- Friends of the Earth, 2000, *Memorandum to the House of Commons Environment, Transport & Regional Affairs Committee - Examining the effectiveness of policies in the Waste Strategy 2000 for delivering sustainable waste management.*
- House of Commons Environment Transport & Regional Affairs Committee, 2001, *Delivering Sustainable Waste Management.*
- Friends of the Earth, 1998, *Response to Less Waste, More Value.*

POLICY WORKING GROUP 2: ECONOMIC INSTRUMENTS AND INCENTIVES FOR WASTE REDUCTION, RE-USE AND RECYCLING

THEME 1: REALIGNING INCENTIVES WITH THE WASTE HIERARCHY

1.5 Ensure that PFI funding does not undermine the waste hierarchy

Q3: Improvements

- Friends of the Earth would go further by saying that PFI funding should not go to large-scale incinerators or oversized materials recovery facilities.
- This has the finger on a problem, but it hasn't identified the solution. "Alternative funding solutions" is too vague. I'm just absorbing the IPPR report on PPPs and can't yet get my brain round some positive suggestions.
- Need to be led by outcomes (PWG1: 1.1).
- Agree with this recommendation but would add that recognition should be given to the revised criteria for waste projects, which were announced in September 2000. These included making recycling and composting key to PFI applications and stressing the importance of incineration proposals including combined heat and power.
- They have already changed the criteria for PFI funding to favour recycling more. It is more important to reform the criteria for PFI funding.

Q4: Strengths

- Not aware of how many incinerators funded by PFI so is it an issue? Agree that effective funding mechanisms needed for wide range of waste management solutions and PFI may form part of these.
- This problem is undesirable if true.
- Do not understand why there is a PFI credit for waste.
- It shouldn't matter if people are properly identifying BPEO strategies. Waste management options should be driven by strategy rather than funding mechanisms.

Q4: Weaknesses

- Difficulty with the complexity of different incentives. Needs to come out of joined up thinking on economic incentives. PFI may be acting as a distortion to the market, but may be counterbalanced by strategic targets for recycling and composting. I am not aware of many PFI funded projects, except the one in Hereford and Worcester. Not sure this is a big issue.
- SPR loses main point. Stepping on the toes of local authorities and how they make things happen.
- Need evidence to demonstrate that PFI funding does, in fact, undermine the waste hierarchy. PFI funding could be equally used to fund a waste paper mill.

Q5: Relevant R&D

- Need R&D so that we understand role of PFI / PPP in waste management

POLICY WORKING GROUP 2: ECONOMIC INSTRUMENTS AND INCENTIVES FOR WASTE REDUCTION, RE-USE AND RECYCLING

THEME 1: REALIGNING INCENTIVES WITH THE WASTE HIERARCHY

1.6 Ensure the Climate Change Levy does not undermine the waste hierarchy

Q3: Improvements

- Add at end 'Landfill and incineration should be subject to a level playing field of parallel financial instruments involving tradable permits in methane and CO2 emissions'.
- Need to create infrastructure and markets for renewables that are restricting supply to businesses?
- Need to ensure that all economic instruments are pointing in the same direction.
- Must ensure joined up thinking with the current Government energy review and any future 'energy hierarchy'.
- Public and organised message needed to address the misconception about energy from waste as renewable.
- There should be 'waste levy', not a separate CCL for waste.

Q4: Strengths

- This would convey the Agency's message.
- Clarity on Government's position on incineration is needed. Energy from waste may play a role in a sensible waste management strategy, which maximises the energy supply derived from waste by displacing other sources of energy. Agree there are inconsistencies in CCL on secondary materials reprocessing that need addressing
- Symbolic, but indicatives of myopic think.

Q4: Weaknesses

- I disagree with this proposition. The climate change levy should be used to solve climate change problems and should not be fine-tuned to deal with other environmental issues. If recycling is carbon intensive, then I think this has to be reflected in costs. A different and additional economic instrument is needed to sort out materials flow issues.
- Agree in principle. Not a high profile issues.
- CCL is having a fundamental impact on industry at the moment. Change would require significant consultation process.
- Agree, but not sure what current negative impact is.
- This makes the same point as PWG1: 3.4.

Comments

- Friends of the Earth agree with this recommendation.

POLICY WORKING GROUP 2: ECONOMIC INSTRUMENTS AND INCENTIVES FOR WASTE REDUCTION, RE-USE AND RECYCLING

THEME 1: REALIGNING INCENTIVES WITH THE WASTE HIERARCHY

1.7 Allow local authorities to pilot variable charging schemes

Q3: Improvements

- Insert after 'for domestic waste' ", including at civic amenity sites".
- We also need to separate out how much people are paying for their waste
- Friends of the Earth welcomes variable charging as long as householders are provided with a high quality kerbside collection of recyclable and compostables and as long as monitoring is in place to ensure that low income households are not disproportionately affected.
- Yes, preferably with a good evaluation programme taking matched pairs of similar authorities employing different charging regimes. That way we will really get a hold of "what works".
- Just charge – not variable charge.
- Enabling powers would be better.
- Pros and cons need investigating (will be part of PIU study). Incentives to encourage voluntary changes in household behaviour also need to be explored.
- Agree, but with a BIG caveat. Without significantly higher levels of Landfill Tax, the incentive to recycle is quite limited. Variable charging works in other countries where there are higher levels of waste disposal tax.
- Variable charging will potentially be very important, but it could be better presented as voluntary charges or incentives.

Q4: Strengths

- Important to realise that large waste streams is not just generated by industry and business.
- Not transparent at the moment.
- Agree for need for increased flexibility in ability for LA's to charge variably for domestic waste.
- Great idea. Household waste management is not expensive enough at the moment. Would need to change legislation in order to charge households for waste management, although the present system may allow a voucher scheme or discount from Council Tax. We need better understanding of what is doable under the present system
- Quite valuable. We need to have diversity and variety in local authority schemes to learn from their experience.
- There is a public appetite for it.
- Talked about a lot. It is about time someone dipped his or her toe in the water.
- Sensible approach to bring us in line with what other countries are doing.
- It has got to happen. The difficulties lie in the practicalities and the potential cost of changing people's behaviour.

Q4: Weaknesses

- Not sure this policy would change behaviour. If the impact were going to be so great, somebody would have done it by now.
- It will provide an incentive to fly-tip. We need to internalise externalities at point of purchase.
- Will be very difficult and very expensive for local authorities to implement the pilots.
- It is barking to think that we will ever charge individuals for their waste. Who will monitor it? It will lead to more fly tipping. Much better to separate and collect it.

Q5: Relevant R&D

- Various communities have been implementing user pay schemes combined with comprehensive recycling and composting scheme (see Friends of the Earth, 1998, *Recycling Works*): for instance, Quinte (Ontario, Canada) has achieved a 65% waste diversion while Sidney Township (Ontario, Canada) has achieved a 69% waste diversion.
- User charges exist in most countries around the world including Belgium, France, Netherlands, Sweden (see Turner et al., 1994, *Environmental Economics*, Harvester Wheatsheaf).
- House of Commons Environment Transport & Regional Affairs Committee, 2001, *Delivering Sustainable Waste Management*.
- Friends of the Earth/Wastewatch, 2000, *Beyond the Bin*.

Comments

- We are the only country in Europe to not to allow this. It needs cross part support.

POLICY WORKING GROUP 2: ECONOMIC INSTRUMENTS AND INCENTIVES FOR WASTE REDUCTION, RE-USE AND RECYCLING

THEME 2: STIMULATING THE SUPPLY OF AND DEMAND FOR RECYCLABLES AND ECO-DESIGN

2.1 More transparency on recycling funding

Q3: Improvements

- Add at end 'The regulatory impact assessment for the municipal waste strategy should be revisited on a multi-stakeholder basis, rather than undertaken by DEFRA without cross-reference to outside parties, or any liability to publish'.
- More inclined to charge for waste generation, than subsidise recycling. Need to ensure that funding does not become a long-term subsidy.
- Local authorities recycling targets should be fully funded through a revised Landfill Tax Credit Scheme.
- Need to also question how LA's are spending the money and whether they are actually targeting the money at recycling.
- Not a question of Government being more transparent – LA's should publish information about spending.
- Government should provide guidance on typical costs involved for different waste management options.
- LA's should tell the Government how much it will cost them to meet their targets
- LA's should provide the information themselves as part of their bid for Government funds.
- It should be a condition of local authorities' contracts.
- It is the role of local authorities, not the Government to provide costings for recycling. Why are we not calling for transparency on all waste management funding.
- More transparency is needed in the ring-fencing of local authority funding for other priorities, such as health and education.

Q4: Strengths

- Greater clarity and transparency would help.
- There is currently no standard spending assessment for local authorities (and should be) for waste management.
- There is real frustration about access to funding. I can see the RDA's being significant players in this.
- The Government needs to stump up the resources to enable local authorities to achieve their targets.

Q4: Weaknesses

- Difficult practicalities.
- Weakness if costing based on pilots and not looking at impact of universal increase in recycling and impact on markets.
- Too much waffle! – e.g. 'mechanisms to achieve'.
- A good idea, but impossible in practice for central government to be too open.

Q5: Relevant R&D

- Need R&D so that we understand economics of recycling much better.

Comments

- Recycling targets shouldn't be encouraged.
- Is already in Waste Strategy 2000 as part of the Regulatory Impact Assessment.

POLICY WORKING GROUP 2: ECONOMIC INSTRUMENTS AND INCENTIVES FOR WASTE REDUCTION, RE-USE AND RECYCLING

THEME 2: STIMULATING THE SUPPLY OF AND DEMAND FOR RECYCLABLES AND ECO-DESIGN

2.2 Introduce tradable permits for local authorities' recycling and composting

Q3: Improvements

- Recycling & composting "performance standards", not targets
- Tradable permits could be used by local authorities in the time leading to the deadline for the achievement of successive statutory targets (FOE would like to see 50% recycling/composting by 2010, 60% by 2015, and then increasing targets overtime in order to maximise recycling and composting). Given that Friends of the Earth believes that every local authority should achieve the targets and has a duty to provide a quality kerbside collection of recyclables and compostables, there will be obvious limits to the trading.
- Perhaps the trading should be limited by geo-graphic proximity, i.e. only with neighbouring authorities or a maximum of 20km from boundary.
- Best Value targets which establish recycling and composting rates of household waste by 2003/4 and 2005/6 could be an opportunity for rewarding local authorities through tradable credits.
- It is better if LA's reached their targets in their own area without purchasing permits from one another.

Q4: Strengths

- This is going ahead already. It allows those LA's who can't reach the target to trade permits, but depends on the price of the permits.
- Recycling targets are already graduated by capability. Permits are better than what they are doing at the moment.
- This is a good way of driving people towards the targets.

Q4: Weaknesses

- Sound too complex to get something compatible with the proximity principle.
- System would be too expensive to run in comparison to the savings achieved. There are few good examples available of less complex systems. Need R&D/pilot study to investigate small application.
- Tradable permits take away sense of responsibility for recycling etc.
- Depends whether local authorities are in the position to separate compost from the waste stream.
- Don't use 'however' in a policy recommendation! This SPR doesn't address the issue about encouraging poor performers through incentivising good performance.
- Issues about recycling are locally specific. This would undermine the capacity of local authorities to address local specificities.
- Must not undermine the proximity principle. It could undermine LA's incentive to pursue recycling targets or more further up the waste hierarchy.
- Some LA's are in a better position than others to recycle. Not many LA's will be in the position to do this.
- Not sure examples used are the right ones.
- Totally against this in Wales. Fear LA's will buy cheap permits and still landfill waste. How can LA's plan ahead when you don't know the price of the permits? Where are the benefits?
- Would add a further degree of complexity.
- The Government has missed the boat on this one.
- I am not convinced that this will work and encourage the laggards to do that much.
- My reservations are that there is a trade off between complexity and practicability and the potential undermining of the proximity principle.

Examples

- Can learn from the Agency's experience of PRNs.

POLICY WORKING GROUP 2: ECONOMIC INSTRUMENTS AND INCENTIVES FOR WASTE REDUCTION, RE-USE AND RECYCLING

THEME 2: STIMULATING THE SUPPLY OF AND DEMAND FOR RECYCLABLES AND ECO-DESIGN

2.3 Promote economic instruments to help develop markets for recyclables

Q2: Implementation

- Need to develop the correct mechanisms and put them into place.
- Add at end 'Inter-linking to financial instruments strategy in the form of virgin input taxes is a pre-requisite'.

Q3: Improvements

- Price stability will probably yield greater benefits.
- We need to look at the market structure and market control as well as economic instruments.
- Would prefer voluntary agreements.
- There has to be mechanisms by which recyclables are substituted for virgin materials.

Q4: Strengths

- Key to overall aim. Crucial to increasing understanding of the waste hierarchy.
- If all LA's meet the recycling targets – the country will be awash with plastic bottles.
- Hedging is a good thing.
- There is a need to uphold the specifications and standards, particularly for compost.

Q4: Weaknesses

- It is inevitable that multi-trip materials will be encouraged.
- Doubtful about intervention into the market.
- Incomprehensible! Don't understand bullet point 2 – mechanisms to hedge prices.
- Extremely difficult.

Q5: Relevant R&D

- Need more investigation into market mechanisms before going down this route.
- More R&D needed to decide on specifications.
- Need to understand the size of the problem and need more analysis to back it up.

Comments

- Newspapers have voluntary agreement with Government
- Newsprint recycle content is already subject to a voluntary agreement between the government and the Newspaper Association (65% by 2003 and 70% by 2006) but a move to have statutory specifications would be welcome. A mechanism to hedge prices would be important given the volatility of the market in some sectors such as paper.
- Specification is a pre-cursor to hedging.
- Significant role for RDA's through the Regional Waste Strategies.

POLICY WORKING GROUP 2: ECONOMIC INSTRUMENTS AND INCENTIVES FOR WASTE REDUCTION, RE-USE AND RECYCLING

THEME 2: STIMULATING THE SUPPLY OF AND DEMAND FOR RECYCLABLES AND ECO-DESIGN

2.4 Introduce recycled product standard

Q3: Improvements

- Need to distinguish between a standard for recycled materials, which will be very useful and should aid the uptake of recycled materials. The need is to develop a set of standards for a range of applications so those users cannot distinguish between virgin and recycled materials except on cost (hopefully recycled materials will be cheaper).
- Wary of implementation of standard. Needs to be regulated and controlled. Need to work with existing guidance on green labelling and take into account EU Directives (WEEE and End of Life).
- Remember that 'consumers' include commercial consumers.
- There are so many other environmental labels. A recycled product standard should be built into existing labels.
- Integrate with existing materials' standards.
- Also involves promoting and publicising the standard.

Q4: Strengths

- Will increase consumer understanding.
- Essential
- The most important standard is a compost one due to the volume and from an ecological point of view.

Q4: Weaknesses

- Danger of becoming a gimmick. It is more important to ensure that we produce products that people want/need, not just recycled toilet paper.
- Standard could compromise business's ability to produce recycled products and may be further complicating the industry.
- See this as low impact and possibly confusing given range of environmental approved systems already on goods.
- The issue should not be about recycling but about the product's fitness for purpose.
- It will take time to build recycled product streams and to typify them. The issue is less about consumer confidence and more about the confidence of manufacturers to develop these products. I would prefer to incentivise good product development rather than putting a tax on virgin material use. The issue is more about morals than economics
- There is already a plethora of existing quality standards.
- Too many already. Need to bring together existing eco-label systems.
- Seems like another unnecessary regulation.
- We should get rid of the recyclable mark because everything is recyclable.

Q5: Relevant R&D

- Friends of the Earth, 1999, *Foundations for Sustainable Resource Use*.

Comments

- There must be some industries where components are usually made from recycled materials.

POLICY WORKING GROUP 2: ECONOMIC INSTRUMENTS AND INCENTIVES FOR WASTE REDUCTION, RE-USE AND RECYCLING

THEME 2: STIMULATING THE SUPPLY OF AND DEMAND FOR RECYCLABLES AND ECO-DESIGN

2.5 Stimulate market development for eco-designed products

Q3: Improvements

- The reductions to employers' national insurance contributions for large purchases of eco-labelled products seems an impractical and costly measure.
- Until can find a genuinely accepted (on at least a European scale)eco-label that covers the majority of environmental impact categories and product types and has resonance with the consumer differential VAT will be impossible, even with these conditions it will be difficult. There is no proven link between the shift from products to service provision for improved environmental performance, although it is widely accepted that it puts in place conditions that are preferential to the development of such strategies. In that context it may not be the soundest basis on which to base tax breaks.
- In line 1, after "products" insert 'against specified criteria for recycle content or whole life carbon impact'.

Q4: Strengths

- Prefer carrot over stick measures.
- This is part and parcel of an outcomes based approach.
- Has to be done but there will be tax harmonisation issues,

Q4: Weaknesses

- Danger of making the system too complicated. Need to put more responsibility on the primary producer, rather than providing token support for recycled products.
- Worried about incentives to effectively remove UK's manufacturing bases – i.e. move to service provision.
- Disagree with subsidies. We need to internalise externalities at point of purchase. The public needs more information about the lifetime, running and maintenance costs of products – for their use and disposal.
- SPR assumes that there is a definition of eco-designed products. We need examples of good eco-designed products. My preference would be to re-use rather than produce new products that are less harmful to the environment.
- Prefer to tax bad design – which signals that we expect good design to become the norm.
- Market intervention is not an attractive option. National Insurance rebate is like 'using a sledgehammer to crack a nut'.
- Eco-design can – and has been abused. We should wait and see what happens in Europe.
- Completely mad. Don't agree with leasing.
- The use of the term 'eco-design' is odd and unclear.
- Too incremental. We need a primary materials tax at the point of extraction.
- What is an eco-designed product? We need a better understanding of the environmental impacts of products. We have got to be able to measure the burden and have systems to reflect it.
- Agree with the main principle of this recommendation, but not with the detail in the bullet points. Reductions in National Insurance contributions are not a good idea. This incentive should be linked more to the purchasing process. I don't agree with the point about leasing. Instead we should start taxing and subsidising at both ends of the market to stimulate the better and get rid of the worst [practice].

Q5: Relevant R&D

- Friends of the Earth, 1997, *Tomorrow's World*.

Comments

- Friends of the Earth supports tax breaks for switching from the sale of materials to the provision of services and also supports differentiated taxation such as reduced VAT on eco-labelled products.

POLICY WORKING GROUP 2: ECONOMIC INSTRUMENTS AND INCENTIVES FOR WASTE REDUCTION, RE-USE AND RECYCLING

THEME 2: STIMULATING THE SUPPLY OF AND DEMAND FOR RECYCLABLES AND ECO-DESIGN

2.6 Public sector leadership on green procurement

Q1: Difference

- High importance - a sizeable chunk of expenditure, if the public sector was to 'flex its muscles' effectively this could have a serious effect on the demand for recycled and eco-designed products.

Q2: Implementation

- Short - lets implement soon, not that difficult to do surely? Improvements: EU Public sector purchasing guidelines, Swedish public sector greening procurement committee (leading edge thinking) are worth consulting.

Q3: Improvements

- Add at end 'by establishing performance tables for WCAs, WDAs, Central Government, Ministries, National and Regional Assemblies'.
- Need to ensure emphasis on objective/vision. It is too easy to go for the cheapest short-term option.
- Decision making should not just be based around green procurement, but based on the fitness for purpose whilst taking a holistic view.
- Should include local authorities and central government.

Q4: Strengths

- Should be easy enough – LA's rewrite budgets every 2-3 years. Will inevitably effect on business behaviour through reliance on public contracts. Win Win situation!
- LAs are a major part of purchasing and will therefore make a significant change.
- There is not enough public sector leadership at the moment. This needs to be as much symbolic as real.
- Public sector are large consumers, but this policy will have no impact on influencing others because the public sector is not regarded as being subject to normal market conditions. The recommendation would have more impact if it targeted a more competitive/ sharp sector.
- Need to practice what we preach and share good practice across the public sector.

Q4: Weaknesses

- Low impact – current activity fairly high.
- The private sector has a much more significant role in pushing these issues.
- Public does not look to the public sector. This needs to be more commercially driven.

Comments

- The public sector spends 45% of GDP so this measure would have a significant impact.

POLICY WORKING GROUP 3: PRODUCER RESPONSIBILITY

THEME 1: INFORMATION

1.1 Statutory corporate environmental reporting

Q1: Difference

- Low, unless supported by penalties and targets, or if the reports are available in a truly comparative form.
- Value depends upon the business.
- Depends what they are required to report on.

Q3: Improvements

- See GRI and green claims code for what to do and what not to do in terms of indicators. The UK government has called for all FTSE 100 companies to report but has been met with a fairly lukewarm response. Comparability is all for this application of reporting, and at the present time there is no way of comparing environmental reports. What unit should be used to normalise data? Where will the burden of producing these reports be spread - how will SMEs cope compared to MNCs? How will the metrics be chosen? Different metrics are relevant to different sectors, even countries. Who will verify the reports or will they be by self-certification? What is the role of enforcement - just to see that a report is produced, or to assess the content and see if targets set by external forces have been met? Enforced reporting is not enough on its own to focus the attention of producers on resource production - needs the other range of mechanisms as well.
- Add at end 'covering whole life supply chain impacts for that sector or company'.
- Need to make it worthwhile and that companies provide practical and relevant environmental financial reporting to ensure that the Pension Funds will reward/invest in them. Need to improve the quality of current environmental reporting.
- Should be applied proportionately. Should be a cut off point for micro and small businesses as 3.4 million-business employ less than 6-7 people.
- Need a critical cut off point for SME's.
- Would require developing environmental accounting standards.
- Existing Government guidance on corporate environmental reporting could be better on waste prevention.
- Should be a deminimus on SME's so not to burden companies with less than 50 employees.
- Should be 'encouraged' not made a statutory requirement. Should be implemented through voluntary agreements and involve them in dialogue.
- It should depend on the size of the company. It is also unfair to expect people to know how to measure resource productivity. It is better to ask for simple indicators of environmental performance.

Q4: Strengths

- Agree – in the absence of proper accounting of environmental costs.
- Fits in well with transparency aspects.
- Opens the books and enables comparisons to be drawn across industry.
- Agree. This particularly needs to include resource productivity performance reporting.

Q4: Weaknesses

- Poor wording – look at Waste Summit plan. This SPR would probably be blocked on red tape grounds.
- Worried that the EA would get caught up in deciding the guidelines.
- Should be a voluntary approach – companies should see the benefits through customer demand.
- Companies already have to produce transfer noted under the Duty of Care.
- May alienate people and make them simply comply with the minimum standards.
- There are other ways of getting business to focus on resource productivity. I am not sure that producing environmental accounts will change anything. Do not agree that it corporate environmental reporting should be a statutory obligation - companies should show they have a genuine commitment.

- There will be strong resistance from business, who will see this as an extra burden. There may also be a tendency for companies to go for the lowest common denominator of environmental reporting.

Q5: Relevant R&D

- BIE have done relevant research and are engaged in change initiatives
- Need evidence of impact of current changes to environmental reporting.

Comments

- Company Law review went some way towards making businesses more transparent and recognising the environmental costs and liabilities of their actions. The important point is that increased resource productivity is not just about protecting the environment, but can also lead to increased competitiveness/commercial advantage.

POLICY WORKING GROUP 3: PRODUCER RESPONSIBILITY

THEME 1: INFORMATION

1.2 Oblige waste producers and managers to provide accurate waste data

Q3: Improvements

- The emphasis needs to be on accurate waste data. How ensure accurate? Costs and auditing required.
- Add at end 'in the form of a publicly accessible database management system of resource flows in the economy covering input, process and output phases for liquid, solid and gaseous streams'.
- This issue goes wider than producer responsibility.
- Need to make it a 'statutory obligation' – not just 'oblige'.
- Difficult for SME's – could be done across sectors like the Climate Change Levy and then implement a basket of measures to keep it streamlined. Need more focus on resource accounting economics and require waste producers to complete returns on resource use.
- Should just remind companies of their existing duties under Duty of Care.
- Already have accurate waste data. 'Encourage' not 'oblige'.
- Recommendation should specify business, not 'all those who produce and manage waste (includes households). We need an assessment of what data we have already through existing requirements (Packaging Regulations and Duty of Care) and the gaps in the data.

Q4: Strengths

- I fully support this. We should be able to measure our achievements. This would make that easier but is only a small part of the bigger picture. On it's own; this SPR would only lead to greater awareness. It would allow the Government to focus economic incentives.
- Targets need base data.
- Accurate data on waste arisings and composition of waste streams is crucial in formulating a sensible forward-looking waste strategy.

Q4: Weaknesses

- At what level? Constrained by the ability of small businesses to produce accurate data – needs to be considered. Businesses already have to comply with the Duty of Care. Need greater understanding of Duty of Care.
- We don't have the means to do this.
- A minefield for SMEs and the Agency to compile the waste data and monitor the accuracy of the data, which may need to be independently audited.
- Unclear about benefit
- It will happen anyway through the review of the Special Waste Regulations.

Q5: Relevant R&D

- Lack of data available. We don't yet know how successful the Waste Strategy is.
- Waste statistics regulations looming from Europe.
- Regulatory Impact Assessment done by DEFRA – waiting for.
- Agency Waste Survey should continue.

Comments

- Is this already part driven by PR?
- Success depends on the presentation of the data.

POLICY WORKING GROUP 3: PRODUCER RESPONSIBILITY

THEME 1: INFORMATION

1.3 Convene stakeholder group to agree protocols for eco-design

Q1: Difference

Q2: Implementation

- Medium will take time to resolve the differences that exist between the eco-design community.

Q3: Improvements

- DEFRA eco-labelling board
- Will need to establish and develop a research programme and the results will need to be taken up by companies, or enforced by government. Finally it will require consumer acceptance.
- Would need specific outcomes for stakeholder group.
- Difficult – needs to be done by ISO and Europe-wide, not just in the UK.
- Need to educate about need for eco-design and the benefits it brings. Not convinced protocols will help.
- Protocols for eco-design need to be agreed across Europe.

Q4: Strengths

- If it raises consumer awareness – then great. But not if it's simply presentational.
- Agree that clarity over plethora of current labels may be very useful and should be a pre-cursor to 2.4 → 2.6.
- A useful part of the overall bigger picture and need for integrated product design.

Q4: Weaknesses

- Word 'eco-design' is too broad.
- Not sure what this would achieve. Companies (and the market will) make their own decisions about what constitutes eco-design. Stakeholder involvement is not important in this case.
- Group would turn into a pointless body of people. Eco-design will come out of effectively/economically stimulated markets/business. This is not the job for a stakeholder group.
- Setting standards and protocols could limit desired innovation
- Would become a vague talking shop.
- Eco-design and eco-labels are different things. There is already a group in DEFRA looking at labelling. The last sentence should include 'dismantleability' and 'recyclability' and take account of existing initiatives, e.g. End of Life Vehicles Directive.

Q5: Relevant R&D

- See Phillips approach - have done a lot on EcoDesign headed up by Ab Stevels. Also see publication from the electronics industry on eco-design, including examples - I have this electronically if you would like it. There are currently some 50 ecolabels worldwide for the office printing equipment market - so lots competing to be used!
- DEFRA's work on design for resource efficiency. There are plenty of examples to build on.

POLICY WORKING GROUP 3: PRODUCER RESPONSIBILITY

THEME 2: WASTE / RESOURCE EFFICIENCY CLUBS

2.1 R&D into growth in waste arisings to drive waste minimisation

Q3: Improvements

- The essential stakeholders are far wider than the waste/resource efficiency business clubs (though important).
- Add at end – 'Utilising resource database flow analysis (q.v.)'
- Too much R&D and pump priming. Need to be more active and ensure wider dissemination of available information.
- Much R&D needed in the long term. Better data needed on different waste streams and arisings.
- Need to examine reasons for growth in waste arisings. More micro-analysis needed e.g. look at a particular waste stream to identify specific factors. Need a freestanding R&D body to co-ordinate the research.
- Use 'waste prevention' – a reduction at source, as defined by DEFRA. Need more Government support for Envirowise and the EA to liaise with the Envirowise programme.

Q4: Strengths

- Important incremental step. Already being done with the National Waste Production Survey.

Q4: Weaknesses

- Don't know if any more R&D will be useful, even if we establish that there is a knowledge gap.
- A range of activities are already being carried out by LA WDA's we need to tap into this rather than duplicate.
- Disagree. Need development of markets. R & D would be a waste of money if not well directed.
- Depends on quality of evidence generated.
- There are bigger issues that will affect waste minimisation.

Q5: Relevant R&D

- There is a commonly held assumption that waste arisings are growing at between 3-5% per year. This must be publicly challenged and subject to more thorough research, because the reality is that some what different. Domestic waste includes other waste streams.
- Need to examine barriers for promoting best practice – human, not just technological issues.

Comments

- Change "waste / resource efficiency" to "waste minimisation / resource efficiency" .

POLICY WORKING GROUP 3: PRODUCER RESPONSIBILITY

THEME 2: WASTE / RESOURCE EFFICIENCY CLUBS

2.2 Improve business understanding of hazardous waste management

Q3: Improvements

- The Landfill Directive will make the difference. The Directive is more immediate and more far-reaching.
- Not aware that there is a real problem. Need to make it more difficult for producers to dispose of their waste in the first place.
- Simplicity is key when approaching small businesses.
- Need to improve business understanding of general waste management.
- Need to target SME's/smaller operators.
- Needs to encompass whole programme of initiatives not just waste minimisation clubs.
- Better to implement by facilitating other people to do it, e.g. through existing trade associations.

Q4: Strengths

- A conscious effort to approach business is needed and is crucial to increasing understanding hazardous waste management.
- Good news. Needs to be done through regulation, information and economic instruments.
- There will potentially be a dramatic rise in the cost of hazardous waste management.
- Big problem. It is a case of getting SME's on board, but who are those with the least capacity to implement changes.
- The review of the Special Waste Regulations needs to produce a shift in the Agency's role away from the monitoring of waste movements towards registering waste producers.

Q4: Weaknesses

- There is no specific strategy for hazardous wastes. It is more about public perception and awareness raising.
- Narrow in scope. Not sure what would be achieved.
- May have limited input given cost drivers on hazardous waste and current legislative drivers, e.g. LFD, EWC, Amendment regs, changes to exemptions.

POLICY WORKING GROUP 3: PRODUCER RESPONSIBILITY

THEME 3: PRODUCER RESPONSIBILITY APPROACHES

3.1 Increase the pace of introducing producer responsibility initiatives

Q1: Difference

- Depends on what the initiatives are, e.g. the Packaging Regulations had no impact.

Q2: Implementation

- Medium - how to implement these systems needs to be carefully thought through and not rushed. Lessons learned from previous experiences must be integrated into new systems.

Q3: Improvements

- Must not rush into a perceived panacea, believing that producer responsibility fixes all. Each issue must be thought through and carefully considered to see if a producer responsibility approach fits the required solution. Other alternatives include voluntary agreements and industry led solutions. Must not produce bureaucracy and burden for the sake of it.
- Add at end 'the financial implications of the process need to be developed on a product sector basis in a participatory framework, so that inflationary and employment impacts are minimised and understood'.
- Is quite complicated. Might be better to improve existing initiatives.
- The potential for producer responsibility is very high, but it is clear that we cannot just implement increase the pace of introducing initiatives because of the complexity of relationships and institutions involved. Producer responsibility is the most underdeveloped set of stakeholder policy recommendations, the phrasing of which has affected the level of disagreement about their effectiveness and importance. This recommendation should be rephrased to call for 'broadening the range of products covered by producer responsibility initiatives' and 'negotiating take-back agreements of specific sectors'.
- Producer responsibility initiatives are already a nightmare to introduce across Europe. It is more important to extend the range of products/materials covered by the initiatives, rather than increase the pace of introducing them, which may give us more bad EU legislation.

Q4: Strengths

- Impact of producer responsibility initiatives can be high. But requires a lot of consultation.

Q4: Weaknesses

- Agency says it doesn't have enough resources. EU is currently debating whether to focus on products or materials. At the moment, the EU is following specific product initiatives. However, we are running out of product legislation. The WEE Directive has sent people over the top. Polluter Pays Principle does not necessarily deal with end of pipe solutions. Producer responsibility initiatives are obsessed with dragging up recycling targets.
- Very irresponsible for UK to increase the pace of producer responsibility initiatives when we don't fully understand the packaging rules and possible imminent European Directive, and implications of WEE and End of Life Directives. Must first look at impacts of existing policies and look at Agency's ability to police these schemes.
- Already flagged up in Waste Strategy 2000. Need specific examples of waste streams in recommendation, e.g. white goods, rather than a broad range.
- Agree, but no well defined, not a lot of substance.
- Disagree, existing pace shows significant problems.
- The pace of producer responsibility initiatives will be dictated by the EU and the priorities of its current presidency. Initiatives need to be smartly designed and based on outcomes.
- The principle is good. But increasing the pace of producer responsibility initiatives may not achieve the desired result.

Q5: Relevant R&D

- R&D needed to look at LCA of individual products.

Comments

- Industry Council EEE recycling - pro-active. Have proposed schemes to Government re. WEE Directive
- The Danes have a Levy system. Although this is not compatible with the Draft Electric's Directive.
- You could argue that variable charging is a producer responsibility initiative (but further downstream).

POLICY WORKING GROUP 3: PRODUCER RESPONSIBILITY

THEME 3: PRODUCER RESPONSIBILITY APPROACHES

3.2 Introduce deposit refund schemes for household hazardous wastes

Q3: Improvements

- After "stream" in line 3, add 'but impose substantial end of life financial burdens (particularly in the solid and liquid waste sectors) out of all proportion to their production economics'. Delete "correct" and substitute "licensed".
- Processors (not down-stream agents) should receive PRNs.
- Need to provide markets. Financial incentives are the most effective way of achieving objectives.
- Deposit refund schemes need to be subject to a cost-benefit test.
- Should be looked at in conjunction with 3.1.
- Recommendation needs examples and to describe the link with re-use and recycling.

Q4: Strengths

- This will be done as part of the revision of the Packaging Directive.
- If this raised awareness, this could work.
- A good recommendation because of the disproportionate levels of hazard for the amount of material.

Q4: Weaknesses

- Too specific for this exercise. This is an inevitable outcome for wider policy implications.
- I can only see this working for non-consumables, e.g. batteries, but not for pesticides and other liquids.
- I can't see it happening/people bothering. It would be too difficult to impose an incentive to deposit household hazardous wastes. There would be complaints from manufacturers. What would be the definition/borderline of 'hazardous'? May need to focus on a specific process – e.g. a battery exchanges system.
- Difficulty would be in setting level of deposit charges to provide the incentive. E.g. it might cost £20 to encourage people to deposit a rechargeable battery. There are all sorts of hazardous wastes.
- Vary costly. Cost benefit analysis (CBA) needed – WEEE directive may sort this out.
- Level of deposit would have to be very high. Difficult to administer.
- Problems with definitions and practicalities.
- This will happen through the Hazardous Household Waste Directive and will have to be achieved through local authority provided facilities.

Comments

- Longer term potential for EU Directive.
- Success depends on how the scheme is designed to incentivise people and how you get them to participate. A central collection point may be a significant obstacle to public participation.
- Has the Household Hazardous Waste Forum been consulted on this?

POLICY WORKING GROUP 3: PRODUCER RESPONSIBILITY

THEME 3: PRODUCER RESPONSIBILITY APPROACHES

3.3 Review the producer responsibility framework for packaging

Q3: Improvements

- Line 9; insert 'free of charge' after "issued". Add at end 'based on a transparent audit and information system managed by the Regulator. This review needs to be cogniscent of emerging structures for WEEE, HHW and CARS'.
- At end of bullet point 6, after "re-processors", insert 'and security for investment in recycle based technology, compared to non recycle supplies traded globally (which may also be vulnerable to virgin input taxes in the long run)'.
- Should move packaging up the waste hierarchy. Need to focus on getting recovery operations right first, not just the PRN system - this is not captured.
- Yes, but not yet, in the next 5 years.
- Extend it to 'action on re-use and minimisation of packaging. The Regulations have had no impact on reducing packaging. Essential Requirements Regulation requires re-use, recycling and minimisation of packaging.
- Reviewing the framework is probably necessary, but only a small step forward unless it is done in the context of other producer responsibility measures. The bigger issues about eco-design will probably have more effect.

Q4: Strengths

- Current packing system is not working effectively.
- Urgent need for review. The system is unnecessarily complicated. It has given us the most complicated regulatory framework, which is not automatically achieving the desired environmental outcomes e.g. waste reduction. There is too much focus on recycling and recovery. There are lessons to be learnt from the packaging regulation process. Packaging is one of the most complicated waste streams – much too heterogeneous.

Arguments in favour of a "supply push" based approach:

- Packaging users in the supply chain have an inbuilt incentive to segregate scrap material for recycling because of the rewards especially if Landfill Taxes are increased to European levels. Users have an inbuilt incentive to register to access Tradable Permits obviating the current problems with free riders.
- Random checks on an exception basis can be more cost effectively organised via the Environment Agency or compliance scheme if an integrated reporting framework is agreed with the waste and reprocessing sectors.
- There are inbuilt incentives to maintain accurate input data because it determines the corporate qualification for Tradable Permits.
- The system generates surplus supplies of recovered material, which will drive down gate fees for recovered product, offering greater certainty of supply to the reprocessors.
- This recommendation goes to the heart of the matter.

Q4: Weaknesses

- Arguments against a "supply push" based approach: If materials are collected but there is inadequate capacity or only overseas capacity then prices will fall. Short-term inelasticities are also a problem. Most obligated companies have little recyclable packaging waste themselves.
- Carries a range of risks. The current system has a dreadful reputation. There would be resistance within the Agency for stirring up a political mess.
- Analysis of 'supply push' is all wrong. We should not be pushing this as a recommendation.
- Producer responsibility legislation has, I understand, made some inroads into raising recycling levels in the commercial and industrial sectors. However, the problem is that there is no direct link between the generator and the waste processed (so material intended for recycling could be substituted). Many materials are exported, making compliance hard to enforce, and the amount of virgin material used has not, as far as I'm aware, reduced as a result of the legislation.

- PRN is a 'Packaging Waste Recovery Note'. PRN regime not a Tradable Permit regime. Refer to 'recyclables' rather than 'recyclate'. Most in industry would disagree with the 'demand pull' assumption.
- It will happen anyway at EU level.

Q5: Relevant R&D

- Need R&D so that we understand this supply push / demand pull recycling debate much better
- I should know and would like to know [what difference the recommendation would make and whether it is a short/medium/long term possibility]. It would be good for the Agency to commission research, which sets out the political and strategic issues alongside the technical issues.

Comments

- Want 'demand pull' approach for ELV Directive
- There is a general lack of stakeholder understanding about packaging PRN's – too technical?

POLICY WORKING GROUP 3: PRODUCER RESPONSIBILITY

THEME 3: PRODUCER RESPONSIBILITY APPROACHES

3.4 Review potential of single point responsibility for packaging PRNs

Q4: Strengths

- Single point responsibility is more practical if it allows the system to work. But this is out of control of the UK Government.

Q4: Weaknesses

- German and French systems are no better and more expensive. UK industry has decided on multi-points for PRNs.
- Too specific. Needs to be part of a wider process.
- Esoteric – sub-point of 3.3.
- Fundamentally disagree. The UK has the best, most cost-effective way of doing it. It costs the UK approximately £150 million, in comparison to £1.2 billion in Germany.
- This is a sub-set of 3.2. We will never get obligated businesses to agree to this recommendation.

Q5: Relevant R&D

- Need R&D so that we understand this PRN debate much better
- I should know and would like to know [what difference the recommendation would make and whether it is a short/medium/long term possibility]. It would be good for the Agency to commission research, which sets out the political and strategic issues alongside the technical issues.

POLICY WORKING GROUP 3: PRODUCER RESPONSIBILITY

THEME 3: PRODUCER RESPONSIBILITY APPROACHES

3.5 Review status of incineration in relation to PRNs

Q3: Improvements

- Must be reviewed in context of where incineration sits within the waste management system.
- Needs to be part of an integrated policy.
- Need to lobby Government. The proposed amendments of the Packaging Directive are to exclude recovery to just recycling.

Q4: Strengths

- Will happen under review of Packaging Directive.

Q4: Weaknesses

- "-1" for bottom paragraph. This would be a step backward.
- The UK will have to apply with what the EU decides. DEFRA looks at BPEO. Therefore, incineration may be better than recycling/re-use.
- Fundamentally impossible! Although agree with incinerators and PRNs.
- This assumes that incineration is bad. Need to properly consider the environmental outcomes. Have no idea what proportion of packaging is non-obligated.
- Expressed wrongly. Start with 'The right of incineration plants to issue...'.
Last sentence is technically wrong!
- We can't remove the right for incineration plants to issue PRN's – it is legally allowed under the terms of the Directive.
- Simplistic. I believe that incinerators should issue PRNs.

Comments

- Agree there are problems with these arrangements, which you set out, but reluctant to give a quantitative answer to this – further discussion around incineration proposals/role of energy from waste is needed and will be taken forward as part of the PIU project on waste.

Appendix B3:

Developing overall Agency policy advocacy effectiveness – further evidence of project impact

This appendix includes the following as evidence of project impact:

1. Executive summary of the first Policy Advocacy Project R&D design group meeting (January 2001)
2. Paper outlining potential structure and overall approach to developing policy position statements – adopted by Directors Policy Steering Group as Terms of Reference for policy positions (July 2001)

POLICY ADVOCACY PROJECT
Policy Advocacy and the Agency: Options for development

Design Group Meeting 1
January 26th - Room 1, Millbank, London

"We ought to develop policy positions which can be endorsed by the Directors' Group and the Board, so that the Agency is able to advocate with confidence. Some of these need to be published as Agency Position Statements which will form a common set of policy statements in the public domain. Others will be internal positions to guide more complex and less public advocacy processes. An advocacy plan needs to be developed for each of the major issues."

Feedback from Barbara Young, 21 January 2001

I. Executive Summary

Barbara Young would like the Agency to develop policy positions which can be endorsed by the Directors' Group and the Board, so that the Agency is able to advocate with confidence, and for advocacy plans to be developed for each of the major issues.

The Board "came off the fence" last year by setting itself the key objective of influencing political developments at the UK and EU level to help achieve the Environmental Vision outcomes.

The challenge is to move from a "problem description" approach, where the Agency has strong and established capabilities, to one of "solutions advocacy". The Agency is pretty good at sitting on the fence – the question is "how do we become more opinionated and have something to say?".

Reputation building is a key means of creating allies and generating 'stock in trade'. In particular, this allows the Agency to occasionally disagree with Government and thereby develop long term partnerships for progressing policy change.

At the EU level, QMV and co-decision is becoming increasingly common on environmental policy, which provides enhanced opportunities to influence policy development. At the UK level, Government concern over its credibility problems provide leverage.

Positions for influencing government policy could assist the Agency:

- influence UK and EU policy in a consistent manner, focussed on priorities
- develop external policy advocacy which joins up the environmental with the social and economic dimensions of sustainable development
- join up local and regional policy influencing (of Welsh Assembly, RDAs, UK Government and EU) with that carried out by Head Office

Whilst this project's primary objective is to deliver policy change in line with the Vision outcomes, reputation building could be a key part of the process for sustaining influence in the policy debate and thereby developing long term partnerships for progressing policy change. Policy advocacy needs to encompass both direct advocacy to Government and indirect approaches – i.e. Agency building partnerships with stakeholders and advocating as a

coalition. The project's focus is on policy advocacy to Government, rather than campaigning. However, the potential benefits of being aware of the Agency's campaigns, both of the PR genre to the public, and of the pollution prevention / waste minimisation type aimed at business, were recognised.

The group considered Barbara Young's set of criteria for deciding on advocacy issues, and concluded that chemicals, climate change, and waste were 3 priority issues for policy advocacy.

Positions for policy advocacy should be developed by a stakeholder process (including the regional / area level), and should be put to Board Advisory Groups / Directors on several occasions rather than just at the very end of a process (e.g. an interim position for influencing government policy should be developed)

POLICY ADVOCACY BRIEFING PAPERS

Note to Policy Group

(These are essentially the Terms of Reference for Hymn Sheets)

CONTEXT

This note is written to help take forward the development of coherent and useful policy advocacy position papers and policy advocacy more generally. It is based on:

- Discussion in policy advocacy project groups
- Barbara Young's comments to policy advocacy project group (21 January 2001)
- Comments by the CHAG and Sir John Harman on the first draft policy advocacy position papers

TWO PAGE POLICY ADVOCACY POSITION PAPERS

The Chairman and CHAG have asked for all the 2 pagers to conform to a common format, and to follow the approach taken by the climate change 2 pagerⁱ. The climate change 2 pager was designed with the following features in mind. Clearly, these features are relevant to all policy areas, not just climate change.

1. Policy advocacy position papers should offer not simply description and analysis of the problem, but also solutions – i.e. “EA calls for...” type statements.ⁱⁱ In the context of advocacy, this means recommendations – i.e. specific, measurable, actionable, realistic, and time bounded (SMART) changes in Government policy.

Example of problem description: “Rates of recycling must increase” or “recycling levels are too low”

Example of solutions advocacy: “reform the landfill tax credits scheme to provide an additional focus on waste reduction and recycling”

To quote Barbara Young, the headline is “Where we are failing to be sustainable and what the EA believes Government needs to do to enable society to turn that around”ⁱⁱⁱ

2. For the Agency to engage effectively in national policy fora, policy advocacy position papers need to relate to relevant broad national agendas (e.g. resource productivity, climate change, social exclusion) – i.e. the advocacy papers need to be strategic and integrate cross-cutting issues.

Example: “The climate change levy (CCL) should be reformed^{iv} to reinforce the waste hierarchy.^v This requires removing the CCL exemption of energy from waste incineration and landfill. Currently, the levy turns the hierarchy on its head - secondary materials reprocessing of all materials are subject to the levy, whereas ‘linear’ waste management options such as landfill and incineration are exempt.”^{vi}

3. The focus of policy advocacy position papers must be outward looking – i.e. such papers need to describe Agency opinion on emergent Government policy.

Example: “Set a year-on-year programme of reduction toward a mid-century target of, say, 60% carbon dioxide emissions (relative to 1990 levels).”^{vii}

Having an opinion on emergent Government policy is of course not the same thing as the Agency's policies on how it is going to implement agreed Government policy. Arguably then, the following – *which may be very useful as a guide for the Agency when deciding*

whether to approve individual incinerators – is of limited use in a 2 page policy advocacy briefing paper:

Example: “The Agency has no objection in principle to incineration provided that:

- incineration does not undermine better waste management options within the waste hierarchy
- incineration represents the Best Practicable Environmental Option for the disposal of the waste taking into account the waste hierarchy
- incineration forms part of a regional or local strategy developed by local authorities based on the Best Practicable Environmental Option for the area considering reduction, reuse, recycling, recovery and disposal, taking into account the need to dispose of waste in the nearest appropriate installation
- the size, location and type of incinerator is consistent with the regional strategy and with statutory requirements to establish an integrated and adequate network of waste disposal installations
- individual incinerators meet stringent controls so as to minimise pollution of the environment, impact on human health and the effects on the local amenity”

4. Policy advocacy position papers need, to some extent, to be agenda setting – challenging traditional approaches where appropriate.

Example: “Increase research budgets at least two-fold in the climate change area, paying particular attention to extreme event probabilities, the distributional issues of renewable energy sources, and adaptation strategies”

Example: “Due to the increasing amounts of waste and the landfill directive diversion targets more waste management facilities will be required in the next 5 to 10 years. However, the challenge is to move from a culture of ‘predict and provide’ with respect to the required number of waste management facilities to one of greater demand side management – i.e. stabilising and later reducing levels of waste arisings.”

5. The Agency’s policy recommendations may well be challenged by some stakeholders, so supporting reports / evidence is worth noting.

Example: “Allowing local authorities to pilot, in partnership with local stakeholders, variable charging schemes for domestic waste – this will increase the potential for municipal waste reduction, re-use and recycling^{viii}” – *backed up by endnote viii*

In addition, there could be value in having:

- each 2 pager underpinned by a longer supporting document^{ix} (of perhaps 5 or 6 pages)
- supporting 2 page briefings on more specific policy areas (e.g. energy from waste)

6. Clearly, the Agency’s locus will be important to some stakeholders. Arguably, there is therefore value in having an additional section making clear the key links to the following:

- i) Environmental Vision outcomes (e.g. commenting on where new Government policies would assist the Agency in achieving the Vision outcomes)
- ii) Current and future on the ground experience / duties
- iii) Expertise
- iv) Stakeholder expectations

Alternatively, comments on broad Agency locus could accompany each policy recommendation, although this approach would lead to considerable repetition. In any case, adding an ‘Agency locus’ section could extend each document to 3 pages.

7. The purpose of the briefing papers (i.e. for influencing UK Government / EU policy) should be clearly stated. Are the papers only for use by the Chairman, Chief Executive, Board, and Directors? Or are they to become – or be developed into – Agency wide documents, for use by all staff? In any case, this should be made clear. Arguably, there could also be value in:
- the user(s) of the briefing papers (e.g. CHAG) providing brief constructive feedback on each paper's usefulness
 - each policy advocacy briefing paper having a shelf life and a date for review / amend / update / bin
 - each paper having an owner and perhaps a Director 'sponsor'
8. Points (1) to (7) above are clearly relevant to all policy areas. A common format and TOR taking these points on board are therefore required to ensure the policy advocacy briefing papers all 'hang together' as a set. Moreover, there are also areas of policy overlap (e.g. energy from waste overlaps both climate change and waste; economic instruments overlaps many areas). As with the Frameworks for Change, care must be taken to ensure these policy advocacy briefing papers 'join up'.

ⁱ In 9 July 2001 CHAG meeting

ⁱⁱ Comments from BY to policy advocacy group, 21 January 2001

ⁱⁱⁱ Email from BY to CN in relation to launch of Govt SD Strategy, commenting on failing wildlife and waste indicators.

^{iv} CCL reform has been explored within the Cabinet Office PIU resource productivity and renewable energy project

^v Economic instruments designed to meet an objective X should not be counterproductive to meeting other objectives, as recognised in HMT Statement of Intent on Environmental Taxation, 1997.

^{vi} As recommended in DETR R&D on "Instruments to correct market failure in the demand for secondary materials", conducted by Eunomia Research. Moreover, this inversion of the waste hierarchy is clearly counter to the Agency's Vision on the wiser, more sustainable use of natural resources. The WSUNR long term objective is for waste minimisation and far more intensive reuse and recycling of materials.

^{vii} Recommended in RCEP report: Energy - the changing climate, June 2000

^{viii} This was a key conclusion of the DETR research study on international recycling experience, 26 April 2001.

The report commented: "Appropriately designed fiscal instruments, such as volume-based charges, can be effective in reducing waste volumes. It is not so much the level of the charge as the design of the charge that influences the level of household participation in recycling schemes. Variable charging is effective because it allows households to influence the level of waste management charges." The report is available at: <http://www.defra.gov.uk/environment/waste/intrecex/02.htm>.

^{ix} Recommended at the ESD cross-cutting climate change group, when discussing the climate change 2 pager.

Appendix B4:

Developing Agency waste policy advocacy effectiveness – further evidence of project impact

This appendix includes the following as evidence of project impact:

1. The Agency waste policy position statement and 10 Point Plan presented by the Agency Chairman and Chief Executive to Secretary of State Margaret Beckett MP at the DEFRA Waste Summit (November 2001)
2. Commentary in ENDS magazine on the Agency's policy positioning in context of the DEFRA Waste Summit (November 2001)
3. "Waste policy at the crossroads" speech, delivered by Agency Chairman to stakeholder forum including key representatives from Government, Business, and NGOs (December 2001)
4. Analysis of stakeholder feedback report, evaluating the effectiveness of the June – December 2001 waste policy development process (January 2002)

Our ref: SJH/RJB/Beckett1101.13

Date: 13 November 2001

Margaret Beckett
Secretary of State
DEFRA
Nobel House
17 Smith Square
London
SW1P 3JR

Dear

WASTE SUMMIT

Thank you for your invitation to the Waste Summit on 21 November which I am pleased to accept.

Waste is correctly identified as one of the Government's headline Quality of Life Indicators, having as it does important environmental, social and economic consequences. The fact that it is a failing indicator demands urgent attention so the Summit is both necessary and timely. As the Government's leading advisors on environmental issues we want to see action that will turn round the inefficient use of materials and the unnecessary disposal of wastes.

Whilst the Waste Strategy provides a framework for future policy development we believe it fails to inject sufficient urgency about the pace and scale of the change that will be necessary to turn this problem around. We have identified 10 significant barriers to delivery and offer solutions to overcoming them in the attached 10 Point Plan.

Central to this plan is the need to increase and re-align the economic incentives operating within waste and to use the revenue streams to deliver improved performance. Strong signals need to be sent to industry, producers and consumers, and local authorities will need support to deliver ambitious local targets. We argue that the Landfill tax should be increased and preferably converted to a Waste tax, with revenues hypothecated to fund local authority kerbside collection of separated waste and improved waste handling and treatment facilities.

Our 10 Point Plan calls for action on a range of fronts. We need integrated solutions involving not just the right mix of regulation and economic incentives, but also the engagement of the general public and local communities in a well-informed debate through the provision of meaningful information about the problem and how they can be part of the solution.

I look forward to seeing you at the summit and to contributing to what we all hope will be a turning point in sustainable waste management.

Yours sincerely

SIR JOHN HARMAN
CHAIRMAN

Enc

Cont/d..

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392

WASTE SUMMIT

OUR VISION A long-term goal of zero waste production

The Waste Strategy is likely to fall well short of delivering the large step changes that are needed to tackle the waste issue, leading to serious environmental, social and long-term economic impacts. The Agency sees that there is a critical need to bridge the gap between current practice, and what needs to be done to deliver sustainable waste management. We call for a radical new set of outcome based policy measures that will;

- deliver, from increased waste revenues, practical financial help to local government to implement challenging new waste strategies;
- Re-engage communities in decision making through a combination of public debate and information;
- refocus the attention of business.

10 POINT PLAN

- 1. Focus on the environmental outcomes to be achieved**
- 2. Increase economic incentives and align them with the policy aim of minimum environmental impact**
- 3. Develop effective waste strategies that place community engagement centre stage**
- 4. Adopt more ambitious recycling targets**
- 5. Improve the market for recycled materials**
- 6. Impose reduction and recycling targets for businesses and environmental accounting of waste and resource productivity**
- 7. Keep waste management options open by avoiding long-term commitments to technologies low down the waste hierarchy.**
- 8. Improve strategic waste planning and development control processes**
- 9. Make funding available for regular waste production surveys and dissemination of the information obtained**
- 10. Establish an independent strategic waste and resource management research centre**

**ENVIRONMENT AGENCY
NOVEMBER 2001**

WASTE SUMMIT – 21 NOVEMBER 2001

**ENVIRONMENT AGENCY VIEW OF THE WASTE STRATEGY
SUCESSES, BARRIERS AND SOLUTIONS**

SUCESSES

1. The Strategy provides a good framework for future policy and instrument development
2. The Strategy is based for the first time on national waste information.
3. The Waste and Resources Action Plan (WRAP) to develop and stimulate recycle markets.
4. Early recycling targets for local authorities are demanding and challenge accepted practice. Early provision of additional GIA to local authorities in devolved administrations has allowed them a head start in developing infrastructure.
5. Hazardous waste landfill restrictions under the strategy and Landfill Directive are putting pressure on producers to reduce quantities produced and / or identify alternative treatments or disposal.
6. The Landfill tax escalator and Government guidance to increase the direction of tax credits to develop more sustainable waste options.

BARRIERS AND SOLUTIONS

1. There is a lack of focus on the environmental outcomes we want to see achieved. Compliance with targets and legislation should be in the context of an overall strategy, rather than the strategy itself.

We need to focus on the environmental outcomes to be achieved. Progress towards greater sustainability should be monitored against a set of waste indicators and targets for environmental outcomes -aimed at waste producers as much as waste managers.

2. Economic instruments for waste are disjointed and fail to reflect the full environmental and public health costs for ALL waste disposal operations. These costs – including those for landspreading and incineration – are not being reflected in the charges to the waste producers. Landfill is also too cheap. This frustrates more sustainable but higher cost alternatives.

Increase economic incentives and align them with the policy aim of minimum environmental impact. In particular, convert the landfill tax into a waste tax, extended to include incineration, with graduated charges according to the environmental costs. In addition introduce taxes on virgin materials. Revenues should be used to help local government fund waste management options higher up the hierarchy and to fund demonstration projects for new technologies.

3. The lack of ownership by the general public of local waste strategies and solutions.

We need to develop effective waste strategies that place community engagement centre stage. We need to build public understanding and trust through better information about all the environmental and health impacts and financial costs of waste management options. This will enable communities to be more effectively involved and take responsibility for adopting more sustainable strategies for dealing with their own wastes.

4. Local Authorities lack the resources and means to achieve more ambitious recycling targets.

We need to adopt more ambitious recycling targets by building on the Government's 2005 target of 25% recycling of household waste with targets based on stimulated recycle markets. More ambitious targets for future years should be achievable within integrated strategies designed to manage waste at minimum overall environmental cost. This could be incentivised through a tradeable credit scheme. Local authorities should be allowed to pilot variable charging schemes for domestic waste, alongside kerbside collections. Together with increased co-ordination between waste collection and disposal Authorities this will help to increase the potential for municipal waste reduction, re-use and recycling.

5. There are still poor markets for recycled materials.

We need to **improve the market for recycled materials**. This can only be achieved through public / market confidence in secondary materials in terms of their performance, price and safety. We are working with WRAP and others on standards for compost; similar standards are needed on other materials. These standards need to be made statutory if voluntary measures are not effective.

6. The Strategy does not impose reduction or recycling targets on businesses.

We need to **impose reduction and recycling targets for businesses and environmental accounting of waste and resource productivity** to act as a Boardroom incentive for waste minimisation. We recommend the inclusion in any new company or environmental law of the requirement for public disclosure of all companies waste management performance in their statutory annual reports and accounts. We need to extend the scope of producer responsibility to encourage greater resource efficiency and eco-design, and greater reuse/recycling.

7. Waste disposal sites such as landfills and incinerators are deeply unpopular with the public. If badly sited or sized they can undermine the drive to more sustainable waste management options further up the hierarchy and fail to maximise energy (heat) recovery.

We recognise that both landfill and incineration will continue to have roles to play within an integrated strategy for waste management. Where incinerators are needed, they should be appropriately sized to avoid competition with recycling and sited so that energy recovery is economically possible. This will also **keep waste management options open by avoiding long-term commitments to technologies low down the waste hierarchy**. We agree that energy from mixed waste incineration should be excluded from the Renewables Obligation.

8. The Development Control and Strategic Waste Planning systems are failing to deliver strategies and planning decisions in time.

Government should set firm deadlines (re-inforced by a penalty system) for completion of regional and local waste strategies. We need to **improve strategic waste planning and development control processes** to ensure that the right waste and materials handling facilities are developed in the right place and at the right time in line with agreed regional and local strategies. Introduce a formal system of parallel tracking applications for environmental permits and planning consents. Overall planning / permitting / development lead times need to be reduced to increase flexibility and prevent getting locked into long-term predict and provide solutions.

9. The lack of accurate and up to date waste production and management data on which to base more sustainable waste / materials solutions. These must be based on an accurate understanding of waste markets and the environmental / health impacts of alternative strategies.

Make funding available for regular waste production surveys and dissemination of the information obtained. Waste management / disposal information should be publicly available and presented through a classification scheme that facilitates strategy development and monitoring.

10. Lack of co-ordination on waste Research and Development and information.

We need to **establish an independent strategic waste and resource management research centre**. We need to understand the reasons for the underlying growth in household waste and be able to model and predict the environmental outcomes of alternative waste management strategies. New, easy to use tools and technologies, will help us to plan more sustainable solutions and monitor their effectiveness.

Sir John Harman

Chairman of the Environment Agency

"Waste Policy at the Crossroads"

Check against delivery

Environment Agency stakeholder waste policy forum

London, 10 December 2001

Introductory Remarks

Good morning everyone. I'm pleased to be able to come here today to share with you some ideas on the future direction of waste policy. Some of these ideas you will doubtless recognise. Indeed, I hope it is clear that we have been listening carefully to yourselves and other stakeholders.

When talking with Agency stakeholders, I am often asked: "*will waste policy change?*". Depending on who is asking the question, the underlying plea is usually "*Please tell us that it will change!*" or "*Please tell us that it won't change!*"

Clearly, we do need real change to deliver our environmental outcomes. We know, for example, that the waste mountains continue to grow – and that waste is one of the Government's failing headline Quality of Life indicators. That said, we should also take credit for our successes – across all 3 fronts of practice, policy and politics.

In PRACTICE, waste management is probably one of the environmental areas where we have done relatively well in reducing environmental impacts. Here are three examples:

1. A modern incinerator or landfill site complying with EU Directives causes only a small part of the emissions which were still typical as recently as 10 or 15 years ago. Full implementation of both the Landfill and Incineration Directives would at least halve current environmental impacts from waste across Europeⁱ.
2. Methane emissions from UK landfills were reduced from 1.1 million tonnes in 1990 to 0.7 million tonnes in 1999ⁱⁱ.
3. Finally, EU Directives have already reduced dioxin emissions from waste incineration in the past 10 years by 50%ⁱⁱⁱ.

On the POLICY front, it isn't all doom and gloom either – we are pleased to see:

- That the Strategy is based for the first time on national waste information
- The Waste and Resources Action Programme, to develop and stimulate recycle markets
- The landfill tax escalator and Government guidance to increase the direction of tax credits to develop more sustainable options

And in terms of POLITICS,

- Margeret Beckett's reference to the factor 10 approach to resource efficiency in her "Big Environmental Challenges speech" is rightly challenging.
- So too is the Cabinet Office PIU commitment to embark on a major waste project in the wake of their resource productivity study.

So we should recognise the reductions in environmental impacts that have already been achieved, and recognise the wider policy and political mainstreaming of the shift from waste to resource management.

Nevertheless, the fact remains that much more needs to be done in the fields of waste reduction, re-use and recycling / composting. The truth is that whilst the Waste Strategy provides a framework for policy development it fails to inject sufficient urgency about the pace and scale of change necessary to turn this

problem around.^{iv} With this in mind, we identified for the recent DEFRA Waste Summit 10 significant barriers to delivery, each with solutions to overcoming them. You have this 10 Point Plan your packs today, along with our corporate position statement on sustainable waste management. This has been influenced by your contributions to this stakeholder workshop process, so thank you all for your input.

From compliance to outcomes

So, where do we need to focus our action now to tackle the challenges of waste? I would like to offer some thoughts on what I see as the 3 key themes which have emerged from this stakeholder workshop process.

The first theme is the strategic shift from a focus on compliance to one on joined up outcomes. This is key to the whole approach set out in our *Environmental Vision* document – as far as possible, we would like to see success measured in terms of delivery of environmental outcomes rather than regulatory activity. But what challenges does this raise in practice?

- Local Authority biodegradable waste diversion targets under the Landfill Directive serve as a good example. These are clearly important, and we have submitted our response to the Government consultation.^v However, considered on their own, the tradable landfill permits could simply give waste disposal authorities a financial incentive to build large incinerators – so that they can then sell their permits to other authorities who are still landfill dependent. There is therefore a need for adequate complementary policies, so that we don't just shift from one waste management technique to another without reference to strategic outcomes. Our submission on the Pre-Budget Report sets out some relevant options which we hope the Treasury will consider exploring.^{vi} Some limited edition copies are available here for the enthusiasts amongst you!
- Municipal recycling targets are another example. As with UK climate change efforts, the real issue is to ensure targets are met within the context of being on the right long term trajectory. When the Swiss, Austrians, and Germans are already recycling around 50%^{vii} and when cities such as Seattle are aiming for 60% by 2008^{viii}, how convinced are we that the Waste Strategy's trajectory to 33% by 2015 is the right one – the right one to deliver our outcome of "efficient recycling as the social norm"?
- And what about climate change? Tony Blair is right to say that *"Cutting global warming gases is a challenge, an opportunity, not a threat."*^{ix} Whilst some sectors of industry may claim they are surprised to hear us say this(!), the truth is we want emissions reductions in a way that delivers social and economic gain, not pain. Increasing rates of recycling is one such approach to tackling climate change. However, there is a complication – raising UK recycling rates may reduce global greenhouse gas emissions (due to reduced raw material extraction and transport from overseas), but with UK emissions going up (due to internal UK transport and industrial recycling activity). So UK compliance with Kyoto could act as an obstacle to using recycling to tackle climate change. Clearly, we must see the bigger picture and not let this happen.
- As a part of encouraging better waste and materials management, we also want simpler and less bureaucratic regulation. We want risk based, "fit for purpose" and integrated permitting building onto the PPC ("Pollution Prevention and Control") regime. We want to see the improvements to "Exemptions" from Waste Management Licensing which we identified about two years ago. These will reduce the weight of regulation on some activities and help us to tighten up on others. We want proportionate and effective legislation to underpin a more sustainable waste management industry.

Community engagement and culture

The second theme – as highlighted by yourselves – is the strategic shift to integrate community engagement and culture into the heart of the Waste Strategy. This raises issues for the Agency, central Government, and others. For example,

- Community engagement and culture could be brought out more explicitly in the Waste Strategy document itself. Re-use, recycling, and composting must be recognised as much more than simply waste management – engaging the public as active participants in the system points to a new form of citizenship key to delivery of our Quality of Life outcomes. Both ‘pull strategies’ (such as increased kerbside collection of recyclables) and ‘push strategies’ (such as variable charging) will have a role in stimulating culture change. The potential benefits of the Waste Strategy in terms of jobs and the economy, and to the National Strategy for Neighbourhood Renewal, deserve to be highlighted. We are working with the DTLR Neighbourhood Renewal Unit to explore links between environmental and social issues, with waste being a key policy area^x.
- We have got to work with communities to consider: “What shall we do with our waste?” – this is key to building public trust in integrated local waste plans, given the depth of public feeling over incineration and landfill. I do not want us to be seen like the Englishman abroad(!), speaking ever louder in a vain attempt to hammer home uncertain risk assessments^{xi}. This is why we have set up a pathfinder project in the East of England and South West regions – to assess the potential costs and benefits of playing a stronger role in fostering consensus based approaches to waste management.^{xii}
- We recognise the need to build public trust in the role of incineration and in our regulation of facilities. We would like to develop a regulatory regime that is seen to turn outwards to those it is intended to protect, not only inwards to those who are being regulated. As a first step to this end, we are working with DEFRA to try to achieve early introduction of municipal waste incinerators and hazardous waste treatment plants into the new IPPC regime, currently planned for 2005. IPPC will allow us to regulate more effectively all emissions from these sites, and also includes methods to encourage waste minimisation and energy efficiency.
- We need trusted tools to help waste decision making. Our WISARD software, for example, can help waste managers advise on the mix of waste management options – but we need to be honest about WISARD’s strengths and limitations, and how assumptions may be questioned. For example, will new energy from waste displace coal, gas or renewables such as wind or solar? Different stakeholders will suggest different assumptions, and these can be key.

Getting the economic incentives right

The third and final theme is on getting the economic incentives right. The fact is that waste disposal is too cheap, that there is simply insufficient value in the markets to justify the investment needed. As these stakeholder workshops have highlighted, we need to realign economic incentives with the policy objective of shifting the BPEO up the waste hierarchy over time^{xiii}. This raises a number of challenges:

- The challenge of taking a holistic look at the fiscal regime for waste management, in the context of resource productivity. We are working with the Treasury, starting with the question: What instruments will be required to achieve the necessary long-term transformation of waste management? We recognise, for example, that fuel duty already acts as an incentive for the proximity principle, by internalising to some extent the external costs of

transport. Without a coherent set of fiscal instruments though we risk shifting waste from one technique to another without reference to any overall strategy.^{xiv}

- The challenge of incorporating the costs of waste disposal into product price – clearly, we will contribute to this through implementation of the new producer responsibility regimes such as the Directives on End of Life Vehicles and Waste Electrical and Electronic Equipment.
- On the challenge of markets for recyclate – we are committed to working in partnership with WRAP and others to ensure market development is at least in line with the recycling targets. Public support for recycling would soon evaporate if sustained quantities of recyclate were simply disposed of, with the costs of both segregation and disposal placed on the public purse.
- How do we deal with incineration? We believe it does have a role in delivering Waste Strategy 2000 – but we also recognise the need to stay focussed on our overall Vision. My Board therefore agreed a policy position in which we highlighted that incineration must not undermine options higher up the waste hierarchy^{xv}. In line with this – and comments from yourselves – our response to the DTI Renewables Obligation supported the exclusion of incineration from both the Obligation and from counting towards the 10% renewables by 2010 target.^{xvi} This response too is available here today.

Conclusion

In conclusion, waste policy stands at the crossroads. Potentially, there could be 3 big shifts – 1) refocusing from compliance to outcomes, 2) Integrating community engagement and culture, and 3) realigning economic incentives with the aim of shifting the BPEO up the hierarchy over time. But whether they happen remains to be seen. Two scenarios are visible on the horizon:

1. A scenario where we continue to sit near the bottom of the EU league table on waste growth and recycling. Landfill Directive compliance is barely achieved, and only then with widespread use of unpopular large scale incineration. Householders do not feel responsible for their waste. Producer responsibility is kept to an absolute minimum. Waste treatment continues to be located on centralised, specialist sites, for which long term contracts are arranged.
2. A scenario where the link between economic growth and waste arisings is broken. Waste is regarded by both industry and consumers as a potential resource, with the efficient re-use and recycling of materials the social norm. Innovation is dispersed across collection, processing, materials technology and product design. Environmental responsibilities are taken seriously by all and mechanisms for ensuring environmental equality and justice are readily available to all who need them.

This latter scenario may sound aspirational. So it should, because it comes from our Vision. By working together this is the scenario we hope to pursue. We're therefore particularly pleased to see our role as Government's environmental advisor reflected in DEFRA's FMPR Stage 1 report on the Agency, alongside our regulatory, operational, information, and sustainability roles.^{xvii} As Barbara Young highlighted in her AGM speech, we are committed to providing policy advice to all parts of Government, not just DEFRA and NAW. Though the environment is not in every Department's name, it needs to be in their heart!

This raises a broader point – a theme that is central to our *Vision and Frameworks for Change*. Whether on waste or on other policy areas, we will not be able to deliver our outcomes by regulation alone. We will need wider policy change, and we will therefore need to work more in partnership – with stakeholders such as yourselves.

I would therefore like to take this opportunity to signal the Agency's determination to be a *key player in the policy change process*. So, for stakeholders wanting to influence policy on the environment and sustainable development, we invite you to work with us. Whether we are dealing with traditional regulations or new policy instruments, we are committed to measuring success by outcome not input – in other words, to borrow a well-worn phrase, "what matters is what works". This is the basis on which we will aim to build all our partnerships – so that we can work towards delivery of environmental outcomes set in their proper social and economic context.

Finally, let me say that I make no apology for not presenting to you today a detailed catalogue of legislation in the field of waste policy. We are all aware of the specific Directives and policy options, and our corporate statements and submissions are available for you to explore if you so wish. But we need to start a discussion now on the direction waste policy, and I have tried to set out some ideas. The operative word, of course, is "we". Waste is a matter of public interest and all of us – industry, government, regulators, NGOs, local authorities – are in it together.

I am therefore particularly happy to give my personal commitment to this process of stakeholder engagement. I wish you success with your work today and I look forward to seeing the outcomes of your labour. Thank you.

ⁱ From Margot Wallstrom, Future Directions for European Waste Policy, European Waste Forum, 21 June 2001

ⁱⁱ National Atmospheric Emissions Inventory, NETCEN, AEA Technology

ⁱⁱⁱ From Margot Wallstrom, Future Directions for European Waste Policy, European Waste Forum, 21 June 2001

^{iv} From Sir John Harman's letter to Margaret Beckett on the DEFRA Waste Summit

^v Date of response available from Henry LVG / Terry Coleman.

^{vi} Agency submission on the Pre Budget Report, November 2001. Further details available from Ronan Palmer.

^{vii} Rolf Kettler (+41 31 322 93 76), Swiss Environment Agency, and "Recycling achievement in Europe", Resource Recovery Forum, 1999. These MSW recycling data for Switzerland, Austria and Germany (which do NOT include construction and demolition waste recycling) can be compared to UK recycling levels.

^{viii} DEFRA research study on International Recycling Experience, 26 April 2001

^{ix} Tony Blair, 31 March 1998

^x See John Colvin for more details.

^{xi} As recent research on modern incinerators by the US National Research Council (2000) highlighted, all assessments of health risk should be viewed with caution, as data is patchy and there are high levels of uncertainty. US NRC (2000): Waste incineration and public health. Committee on the health effects of waste incineration. Available at <http://www.nap.edu/catalog/5803.html>

^{xii} See paper to Resources BAG on "Planning for waste management" by Dr Paul Leinster, July 2001

^{xiii} As the right economic incentives are introduced, the BPEO (Best Practicable Environmental Option) mix of waste management options should shift up the waste hierarchy.

^{xiv} This point taken from Agency's submission on the Pre Budget Report, November 2000.

^{xv} Page 2, Board Paper on Incineration, by Dr Paul Leinster, 4 October 2001

^{xvi} EA response to DTI consultation on the Renewables Obligation. October 2001

^{xvii} Page 78, DEFRA FMPR Stage 1 report on the Environment Agency. August 2001

<p>Environment Agency Waste Policy Development Process Summary of Stakeholder Feedback</p>

CONTENTS

1. Nature of the report
2. Summary of stakeholder feedback

Appendix 1: Results

Appendix 2: Context and waste policy working group process

Helen Chalmers and Philip Douglas
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January 2002

1. NATURE OF THE REPORT

This paper summarises stakeholder feedback on the Environment Agency's June – December 2001 working group process, which considered the implications of resource productivity and sustainable development for waste policy. It will be used to inform future stakeholder engagement by the Agency on key policy areas.

A questionnaire was circulated by email and was handed out to stakeholders at the final workshop held in London on 10 December 2001. 32 stakeholders were present at this workshop and 20 completed questionnaires were received.

2. SUMMARY OF STAKEHOLDER FEEDBACK

"A great triumph, breaking moulds all over the place. The moon next!"

Whilst only one external stakeholder was this enthusiastic, feedback overall was nevertheless generally very positive. Analysis of feedback is structured as follows:

- 2.1 the waste policy working group process (questions 1-6)
- 2.2 the effectiveness of the stakeholder engagement (question 7-8)
- 2.3 frequency of future waste policy working group processes (question 9)
- 2.4 the Agency's 10 Point Plan (question 10)
- 2.5 measuring success (question 11)
- 2.6 the value of stakeholder engagement on other policy areas (questions 12-13)

Full comments have been compiled and are presented in Appendix 1.

2.1 PROCESS

All stakeholders felt that the process was 'good' or 'very good' in helping the Environment Agency develop its policy position on sustainable waste management.

Stakeholders found it to be a "useful", "valuable" and "well thought through process for sharing stakeholder understanding and developing joint learning". For many, it provided a useful discussion forum, and for some external stakeholders - the opportunity to "learn about the EA's attitudes and perspectives". In particular, EA representatives were praised for being "very open to understanding and taking on board external perspectives".

On the whole, the process met or exceeded expectations held by stakeholders at the outset. Stakeholders appreciated "the level of buy-in by 'quality' people", the presence of "a very interesting and experienced group" and the high-level of discussion reached.

In addition to broader stakeholder involvement, some stakeholders would have preferred more time for open discussion and debate, particularly at the final workshop on 10 December. Others felt that some issues discussed at this event had been covered in previous workshops and that there was a "good deal of repetition between presentations" at the final workshop. However, it was recognised that some repetition was required "due to intermittent attendance" from stakeholders throughout the process. Although there was some criticism about the length and delivery of John Harman's keynote speech, the presentations overall were praised for being "encouragingly enthusiastic".

Stakeholders felt that the working group process benefited from being professional facilitated. In particular, the facilitation was praised for being "well managed" and generally excellent" and meant that "everybody was brought into the discussion".

Most respondents (65%) agreed that the quality of the venue and refreshments throughout the process had been 'good' or 'very good'. However, in relation to the final workshop on 10 December, many highlighted the fatty refreshments, the lack of vegetarian options available, and need for extra equipment, such as OHP sheets and flip chart paper and stands.

2.2 STAKEHOLDER ENGAGEMENT

Involving stakeholders at an early stage in the policy development process has not only helped develop "a more integrated agency policy position", but has also "added depth and legitimacy" to the Agency's waste policy, commented one respondent.

Each of the stakeholders who contributed to this review thought that the process gave them the opportunity to contribute to the development of Agency policy advice. The small group discussions were highlighted as particularly useful in providing an opportunity for stakeholders to contribute. However, concerns were raised about the extent to which contributions would be listened to. Moreover, as one stakeholder put it, there are "so many viewpoints - all cannot appear in final policy".

There was some concern that the process involved "the usual suspects" in waste policy or those "who were on our side", and that more of an attempt should have been made to involve "others we don't normally engage with". Some suggested there were probably too many Agency representatives, and not enough representation from NGOs, local government, the waste management industry, retailers, consumers and community groups. Overall though, only a quarter of respondents felt that the process did not get the right mix of stakeholders about right.

2.3 FREQUENCY OF FUTURE WASTE POLICY WORKING GROUP PROCESSES

The majority (70%) of stakeholders thought that this kind of process should be run every 2 years. There was limited support for the idea of continuous review – as one stakeholder put it: "Policy takes time to implement. Continuous review does not give time to assess impact". Most felt that a balance has to be struck between how frequently the Agency should run this kind of process for waste policy, the practicalities involved and rate of change in the policy environment.

It was suggested that having intervals between workshops allows "time for reflection, implementation of change, change of participants and development of R&D". It was also felt that the process should be run on a smaller-scale, focusing more on monitoring policy changes and obtaining "feedback on new directions/emphasis".

2.4 AGENCY 10 POINT PLAN

The Agency's input into the DEFRA Waste Summit in November 2001 had been informed by the working group process. Overall, stakeholders felt this was 'good' or 'very good', and "underlines the value of this kind of process".

One stakeholder felt "ecstatic" about the 10 Point Plan, with another "glad [that] EA is becoming more pro-active on policy".

Others felt that the Agency could still be more ambitious "in driving forward the agenda". Many argued that while the Plan provides good direction and a long-term goal for zero waste production, it could also have advocated specific long-term targets for recycling, composting and waste minimisation. Some felt it could also have been "bolder on Integrated Product Policy / Producer Responsibility and funding via the price system".

2.5 MEASURING SUCCESS

It was suggested the success of the process should be determined by its influence on Agency thinking and the extent to which this represents a "step forward from [the] previous Agency policy position to [a] new position in line with [the] Vision".

Some respondents highlighted the need to track the influence of the process on the Cabinet Office PIU project, Government policy more generally, and even in terms of environmental outcomes. On the other hand, it was also suggested that the success criteria should focus on "stakeholder satisfaction and change in Agency policy, not environmental outcomes which will take time and complex causality".

2.6 FUTURE APPLICATIONS FOR THE STAKEHOLDER WORKING GROUP PROCESS

Overwhelmingly (90%), respondents thought that the Environment Agency should run similar processes for other policy issues. In addition, it was also suggested that: "the waste one was particularly useful because it's such a policy mess".

Indeed, a large proportion of stakeholders commented that the working group process should be used to inform "all [EA] key policy areas" and could enable "blue sky scenario building" for big cross cutting issues. Suggested areas of focus include industrial emissions, chemicals in products, energy, flood defence and land use planning. One stakeholder recommended that the Agency should run similar engagement processes for "all policy priorities as agreed by the EA Directors Policy Steering Group".

However, some expressed reservations about the format and appropriateness of the process for some policy issues and warned of the need to avoid 'consultation fatigue' amongst participants. Nevertheless, many were enthusiastic about working in closer partnership with the Agency on other policy areas, such as producer responsibility, IPPC, mass resource flows and SMEs. In general, stakeholders welcomed wider application of consultation in Agency policy development and the move towards the Agency working in "a far more integrated and participatory manner".

APPENDIX 1: RESULTS

Environment Agency waste policy development process Review Questions

1. How appropriate do you feel the process was for helping the Agency develop its policy position?

POOR	FAIR	GOOD	VERY GOOD
		✓✓✓✓✓ ✓✓✓✓✓	✓✓✓✓✓ ✓✓✓✓✓
0%	0%	50%	50%

Comments

- Chatham House rules might have inhibited inclusively.
- Ultimately Agency policy must evolve in response to its remit as well as to its "stakeholders".
- Useful exchange of views.
- Would it have happened without it?
- Has added depth and legitimacy.
- Contact with Agency staff suggests it was useful – appears to have influenced outfit.
- Good discussion forum for waste management. Delicate balance between manageable group size and getting suitable representation. Dealing with large and complex issues – not always enough time to get into the "meat" of the discussion.
- Well thought through process for sharing different stakeholder understanding and developing joint learning as well as much clearer and more integrated agency policy position.
- Input at early stage from stakeholders should prove valuable.
- Highlights the importance of making use of existing information for directing policy and public activity.
- Good for high-level overview to prioritise the issues.
- Ensures balance – provided participant selection was balanced.

2. Did the process meet your expectations?

YES	NO	N/A
✓✓✓✓✓✓✓✓		✓✓✓✓
80%	0%	20%

Comments

- Exceeded expectations.
- On the whole, I would have liked to see some evolution of the stakeholder policy recommendations **throughout** the process.
- More than I envisaged at the outset.
- Very pleased at the level of buy-in by "quality" people.
- Yes: a very interesting and experienced group, which engaged in decent discussion. No: Due to time constraints there were times that I felt we missed out on the "meat" of the discussion.
- Didn't know what to expect when we started.
- It would be good to see the Environment Agency's views on each stakeholder recommendation discussed in the process.
- Could have done with more time on the workshop sessions.
- Good level of informality.
- No preconceptions!

3. Should we have done anything differently?

YES	NO	DON'T KNOW	No comment
✓✓✓✓✓	✓✓✓✓	✓✓✓	✓✓✓✓✓
40%	20%	15%	25%

Comments

- Maybe there should have been some local/regional stuff too integrated with this (joining up).
- Group work – I think some people felt that they had covered the same ground before in previous workshops, not enough time – particularly for morning groups. Reviewing stakeholders expectations at the beginning of the process would have been helpful to ensure maximum benefit for them and securing their involvement in any future processes.
- See 6, Also needs more information gathering in parallel to inform debate
- More time on agenda for whole group discussion.
- More open discussion/debate, rather than small groups.
- Better co-ordination on follow-up responses? – I know it's difficult!
- Maybe you made it "too easy" for us by consulting so thoroughly – some written comments could be useful – **also** less "small group" work.
- More broad group discussion time.
- Hard to say, as this was a learning process – so we had to learn how to do it.
- Wider stakeholder range.
- December 10th session repeated a lot of September session....
- There needed to be more rigorous review of the policy recommendations in the 2nd phase – however time was limited. What this resulted in was some discussion at the final phase as to the validity of some recommendations that had been put forward.
- Didn't review outcome of workshops 1&2. Some covering of previous issues.
- Don't know.
- Maybe organise questions for workshops differently – they were a little too broad in scope for the time available.

4. What did you think of the presentations?

POOR	FAIR	GOOD	VERY GOOD
	✓✓✓	✓✓✓✓✓ ✓✓✓✓✓ ✓✓✓✓✓	✓✓✓✓
0%	15%	65%	20%

Comments

- I felt for John Harman with his written speech.
- Content of debate very good.
- JH talk was long and kept us away from the main business. A 10 minute pep talk would have been enough.
- Good deal of repetition between the presentations – maybe required due to intermittence of attendance – John Harman's talk went on for too long – eating into the discussion time, which was clearly felt.
- Enthusiastic!
- Fine – very good.
- John Harman's delivery of the keynote speech was disappointing and did not hold people's attention. Steve Lee – excellent.
- Presentations from groups encouragingly enthusiastic – if a little rushed due to time constraints.

5. How well do you think the process was facilitated?

POOR	FAIR	GOOD	VERY GOOD
	✓	✓✓✓✓✓✓✓	✓✓✓✓✓✓✓
0%	5%	55%	40%

Comments

- Well managed.
- Kept to time and focused. The plenary could have been more planned.
- The level of facilitation was generally excellent. Everybody was brought into the discussion and the level of comment was great.
- Good to have dedicated facilitation support.
- Good/very good.
- Meetings benefited from professional facilitation.
- Drifted a bit in the afternoon.
- Good – but maybe more constraint on lengthy questions would have enabled others to speak.

6. What did you think about the quality of the venues and refreshments?

POOR	FAIR	GOOD	VERY GOOD
	✓✓✓✓✓	✓✓✓✓✓ ✓✓✓✓✓✓✓✓	✓✓
0%	5%	12%	10%

Comments

- Not really a major issue.
- Some aspects good but could have been better equipped.
- Food a bit fatty!
- Coffee late! Venue fine.
- Sometimes a little cramped, but generally good.
- Variable.
- Coffee was a bit late!
- Refreshments not so good.
- Veggie food. Decent tea!
- Venue – ok, central, we could have done with more space. Food – poor, fatty and non-veggie options. Equipment – needed more OHP sheets, flipchart paper & stands for each break out group.

7. Do you think the process has given you the opportunity to contribute to the development of Agency policy advice?

YES	NO
✓✓✓✓✓✓ ✓✓✓✓✓✓	
100%	0%

Comments

- Although I guess I won't know if my contribution has actually been taken on board until later!
- More than I envisaged at the outset.
- Specifically to broaden into non-regulatory activity.
- The output to the waste summit reflected focus-input angle too much! Agency could have enlisted more input.
- It gave me the opportunity to learn about the EA attitudes and perspectives. Plus I felt very strongly that the EA representatives were very open to understanding and taking on board external perspectives. A very good indicator was to see "flavours" of the discussions that had been held, in the EA communications on waste.
- Plenty of opportunity – especially through small group discussions.
- Certainly contribute, whether listened too not sure. So many viewpoints - all cannot appear in final policy.
- Not me personally (my first meeting!), but certainly has given stakeholders a good opportunity to (at least try!) to contribute to policy development.
- Could have been condensed – or 3 x 1 day sessions for all on single topic theme each plus 3 x 1 day close offs.

8. Has the process got the mix of stakeholders about right?

YES	NO	DON'T KNOW	NO COMMENT
✓✓✓✓✓ ✓✓✓✓✓	✓✓✓✓✓	✓✓✓	✓✓
50%	25%	15%	10%

Comments

- But of course not much grass roots or Local Authorities who do have a key role to play obviously. It was probably dominated by people who were on "our side"!
- But maybe publicise on an interim basis to a "second wave".
- Not able to comment, but there did seem some gaps in coverage.
- Pretty good but strong local government and commercial (waste industry) presence would be of benefit.
- There could have been more NGO representation and government involvement.
- Appears to be a lot of EA representation, little business interest.
- Good external (central and local Government needed, regional Government/RDA's, Wales, NGOs/policy think tanks) and internal mix.
- About right. There was a good variation and range of experience.
- Consumers, retail industry.
- More business, more NGOs. Agency itself could have been 1/3 rather than 1/2
- Probably light on the "non-expert" viewpoint.
- Better with: more waste producers, strong DTI/DTLR/DEFRA commitment.
- More local authorities, more waste management industry and more industry.
- Although I suspect business/consumer groups might feel under represented.
- Should have included DTLR and more representatives from "grass roots" initiatives.
- But it is many of the same cohorts of people. Maybe there could have been an attempt to get to others we don't naturally engage with.
- Broader industry input? Community groups, engage sceptics in parallel process.
- I'm still not certain who and how people were approached. There was certainly some feeling about the process involving "the usual suspects" not enough business/industry representation and perhaps too many Agency people.

9. For waste policy, how often do you think the Agency should run this kind of process?

Every 6 months (Continuously)	Every Year	Every 2 Years	Every 5 Years	Never
✓✓✓	✓✓	✓✓✓✓✓ ✓✓✓✓✓ ✓✓		
18%	12%	70%	0%	0%

Comments

- Maybe not quite the same sort of process i.e. not as long and possibly more focussed on what has changed.
- But perhaps the process shouldn't be as lengthy. Through future processes could focus on the Agency's existing position and ask stakeholders to comment on/review it in the context of govt policy and in what areas we could go further on.
- As required.
- Opportunity to report on monitoring and obtain feedback on new directions/emphasis.
- Need to strike a balance between need and practicality it's a very fast moving area of policy.
- A smaller process could be carried out every 2 years, say?
- If conditions change – probably not at the level of input this time – could be covered in 1 or 2 meetings looking at changes.
- Continuous maintenance but probably only every 5 years at this intensity.
- But depends on policy environment.
- Somewhere between every year/2 years. The process takes time. Intervals between running the events allow time for reflection, implementation of change, change of participants and development of R&D.
- Policy takes time to implement, continuous review does not give time to assess impact.
- In a short format (maintenance).
- Every 2 years as is, or every year if a more detailed remit is identified (e.g. topic based tour)
- I would say no less than 2 years. Policy doesn't change that quickly!
- Possible need for cascaded process in say – 6 key sectors / supply changes (automotive, food, non-food retail, public etc.)

10. What do you think of the Agency input to the DEFRA Waste Summit, which has been informed by this process?

POOR	FAIR	GOOD	VERY GOOD
	✓	✓✓✓✓✓✓✓✓	✓✓✓✓✓✓✓✓
0%	5%	45%	40%

Comments

- Apart from being too long, it was fine! Less than 5 big messages is probably better of what "needs to be done now" type. You could have 10 principles too..
- Long term goal of zero waste production is excellent.
- Underlines the value of this kind of process.
- Strong clear message – perhaps not quite identifying sufficiently clearly the role and importance of the EA in the ongoing process.
- I was ecstatic – only slight concern is that the **vision** needs to aim high. I am not convinced that it aims high **enough** for MSW.
- Much more positive than I would have expected otherwise.
- Good direction but could have been more ambitious, for instance, providing long-term (2010-2020) recycling/composting targets and waste minimisation targets.
- Lack of ambition in driving forward the agenda.
- Maybe reflected stakeholder input too much.
- I am glad the Environment Agency is becoming more pro-active on policy.
- Haven't read it yet.
- Could have been bolder on IPP/PRO + funding via price system.

11. How do you think we should measure the success of this process

- The attention given by Beckett et al, the influence on the PIU process.
- Decisive support for specific financial, communication and political policy frameworks.
- Has it achieved its objectives? Has it helped developed Agency policy? Has it effected any wider change?
- By the impact of the report that comes out of it! (and level that EA acts upon it).
- Qualitative feedback from participants and target achieved – particularly DEFRA/DTI/PIU.
- Accessibility of the final report to the lay reader.
- EA participation and influence over wider waste policy.
- Incorporation of policy suggestion into EA and Government policy and practice.
- A number of possible metrics: satisfaction of participants, degree of change of EA policy on waste, (EA) internal agreement with policy recommendations.
- In two ways:
 - a) Measure the extent of step forward from previous Agency policy position to new position in line with vision
 - b) Measure impacts on policy/practice of all stakeholders involved in process over next 12-18 months
- Write policy, implement and then review successes in next 5 years.
- Value placed on it by participants.
- Take up by other studies (e.g. PIU study).
- Real change in Government policies.
- Impact on our thinking and ability to develop our policies – they are **very** high level at this stage.
- How it influences your **own** perspectives. How it influence other initiatives.
- Outcomes.
- In terms of outcomes. For me, I want some considered policy lines I can use when responding to local and regional consultation.
- Stakeholder satisfaction, change in agency policy **not** environmental outcomes, which will take time and complex causality.
- Stakeholder satisfaction. Impact on EA policy advice. Need to link cause and effect, environmental outcomes are not appropriate.

Feedback from stakeholders involved in the process will provide a measure of whether they have found the process useful and have used the process to develop their policy positions. New/better relationships forged with external stakeholders. Government policy changes as a result of advocacy by EA and stakeholders in areas covered by the process.

12. Do you think the Agency should run processes like this one for other policy issues?

YES	NO	DON'T KNOW
✓✓✓✓✓ ✓✓✓✓✓ ✓✓✓✓✓ ✓✓✓✓		✓✓
90%	0%	10%

Comments

- The only real downside to this sort of process is that it doesn't really engage the politicians and hence not really the public servants. To do this you have to engage with their processes but of course it does provide material for that. I suppose not all areas might be amenable to this sort of process if you can't really get and small enough groups of core stakeholders who also reasonably covered the ground. But can't think of an area that would have this problem off hand.
- I think the principles of stakeholder engagement in developing the Agency's policy positions should be used for extended to other policy issues – but maybe not in the same format – depending on the issue – if similar process could certainly be integrated into the role of future "Policy Advocates" to be appointed.
- All policy priorities as agreed by EA Directors Policy Steering Group.
- Yes for big issues.
- Integral with development planning would be useful as a topic.
- Chemicals land use/siting.
- Indeed, it would be useful to see whether the "big picture" / "cross ones" are recognised across themes.
- Waste Strategy Planning.
- But carefully chosen to avoid fatigue of both stakeholders and staff.
- But the waste one was particularly useful because it's such a policy mess.
- I think external perspectives and recognition of these will enable the EA to work in a far more integrated and participatory manner. It will be interesting to see the difference in EA waste policy that emerges as a result of these workshops – they will give a good idea of how to use it for other issues.
- Critical to all key policy areas.
- Industrial emissions. Climate. Chemicals in products.
- As many as possible.
- This is a good technique for getting high level policy thinking going in the world.
- All areas of EA policy should be opened up to stakeholder discussion.
- Specific to "blue sky" scenario building for particular supply chains – blocks + opportunities etc – containing representatives from community waste sector etc.

13. Are there any particular policy areas that you would like to work in closer partnership with the Agency? If so, in what way?

YES	NO	N/A
✓✓✓✓✓ ✓✓✓✓✓	✓	✓✓✓✓✓ ✓✓✓✓✓
45%	5%	50%

Comments

- Agency should engage stakeholders in energy, Water Framework Directive, flood defence.
- Producer responsibility, chemicals policy.
- Any way I can help, external cash, recycling/composting collections.
- Interface with SMEs on **all** policy areas.
- I would be interested in continuing to be involved in producer responsibility discussions.
- IPPC – matches expertise better.
- Integrated product policy.
- Will need to have Agency views on a whole range and policy issues.
- Data capture and mass resource flows. Also ties into Biffaward: £650K fund for National Waste Awareness initiative.

14. Any further comments?

- Well done
- Thanks! ... Well done.
- Success of the process needs to be taken inside the Agency and discussed. Could envisage a "set piece" conference to move on from here and widen the groups engaged in a better setting for an address from the Chairman.
- How will the various initiatives be received/prioritised for EA.
- Very enjoyable – I would welcome further involvement on product design for life and resource prolongation.
- Interesting, stimulating and useful. I was impressed by general calibre of participants and good energy level of groups.
- A great triumph, breaking moulds all over the place. The moon next!

APPENDIX 2. CONTEXT AND WASTE POLICY WORKING GROUP PROCESS

Context

The Environment Agency's Vision calls for a more outward looking organisation, contributing its experience and expertise more to assist policy development on the environment. The Environment Agency is committed to helping strengthen the link between policy and practice. Stakeholder working groups were therefore established to consider the implications of resource productivity and sustainable development for waste policy.

Process

Three policy working groups were established for a small number of policy areas identified as being key to the sustainability challenge of moving from waste to resource management. Policy Working Groups were structured around the following policy areas:

- 1) Placing resource productivity centre stage in sustainable waste management
- 2) Economic instruments and incentives for reduction, re-use and recycling
- 3) Producer responsibility

The group discussions were tasked with the overall aim of: *Promoting the rethinking of waste as a resource, by highlighting examples of good practice, by helping the Agency recommend to Government¹ policy changes to multiply such practices, and by identifying relevant policy development opportunities.* The specific outcomes set for the workshops were as follows:

Workshops	Outcomes
Wave A June / July	<ul style="list-style-type: none">• To build understanding of stakeholders' positions and policy context• To agree policy areas / themes for discussion in WAVE B workshops
Wave B September	<ul style="list-style-type: none">• Constructive analysis of stakeholder policy recommendations for the agreed policy areas / themes – e.g. the extent to which each is short / long term, significant / insignificant, and suggestions for improvement
Wave C December	<ul style="list-style-type: none">• To map opportunities to promote the shift from waste management to sustainable resource management, in context of interim Agency policy positions

The working groups met as per the table below:

Group 1	Group 2	Group 3
June 22 (full day)	June 27 (afternoon only)	July 3 (afternoon only)
Sept 17 (full day)	Sept 11 (morning only)	Sept 20 (afternoon only)
Dec 10 (full day)		

¹ 'Government' here refers to both UK Government and the Welsh Assembly